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THE

LAWS OF WISCONSIN

JOINT RESOLUTIONS AND MEMORIALS

PASSED AT THE BIENNIAL SESSION OF THE
LEGISLATURE, 1901

WITH

Post-Office Addresses of the Circuit and Superior Judges and
Times and Places for Holding Circuit and Superior Courts

AND

Table Showing the Sections of the Wisconsin Statutes of 1898 and Laws of Previous Sessions Amended by the Laws of 1899 and 1901

Published by Authority

MADISON, WIS.
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LAWS OF WISCONSIN, 1901.

No. 1, S.] [Published Jan. 21, 1901.

CHAPTER 1.

AN ACT authorizing the Supt. of Public Property to furnish the several committee rooms and make an appropriation therefor.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Purpose of appropriation. SECTION 1. The superintendent of public property is hereby authorized to suitably furnish the committee rooms in the capitol building.

Appropriation clause. SECTION 2. There is hereby appropriated out of any money in the state treasury and not otherwise appropriated, a sum sufficient to carry into effect the provisions of this act.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved Jan. 18, 1901.

No. 2, S.] [Published Jan. 21, 1901.

CHAPTER 2.

AN ACT to fix the time of holding the terms of the circuit court in the several counties of the sixteenth judicial circuit.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

General terms in counties of circuit, when held. SECTION 1. The general terms of the circuit court in the sixteenth judicial

circuit of the state of Wisconsin shall be held in each of the counties in said judicial circuit, in each year, as follows:—In the county of Marathon on the second Monday of February, and the second Monday of September. In the county of Lincoln, on the first Monday of October, and the first Monday after the first Tuesday in April. In the county of Oneida, on the first Monday of May, and the second Monday of November. In the county of Vilas, on the fourth Monday of May, and the first Monday of December.

Special terms, what business may be heard at. SECTION 2. Every general term of the circuit court in each of the counties as herein provided for, shall be a special term of the circuit court for each of the other counties in said circuit, and any and all business arising and pending, or which may arise or be pending in any of the counties in said circuit, excepting the trial of issues of fact by a jury, may be brought and heard and determined, or disposed of judicially, at any of such special terms.

Writs, process, motions, etc., when returnable. SECTION 3. All writs and every summons, process, recognizance, information, motion and proceeding or requirement of every kind and nature, in the circuit court of any of the said counties to be heard or made returnable on the first day of any term of court in said counties, as now fixed by law, and up to the time of the passage of this act shall be considered and held to be returnable and to be heard and determined as of the next term of court, as herein fixed, the same as of the term or terms heretofore fixed.

Conflicting laws repealed. SECTION 4. All acts or parts of acts conflicting with the provisions of this act are hereby repealed, so far only as the same conflict or may conflict as aforesaid.

Section 5. This act shall take effect and be in force from and after its passage and publication.

Approved Jan. 19, 1901.

No. 38, S.] [Published Jan. 24, 1901.

CHAPTER 3.*

AN ACT to amend section 111a of the revised statutes entitled, "officers of the senate and assembly," and section 112 of the revised statutes entitled, "compensation of officers."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Officers of senate and assembly: additional help. SECTION 1. Section 111a of the revised statutes is hereby amended by striking out the word "two" where it occurs in the fifth line of said section and inserting in lieu thereof the word "four," and by inserting after the word "affairs" and before the word "one" where they occur in the seventh line of said section the following: "Two committee clerks who shall act as committee room attendants and one telephone attendant," and by striking out the word "two" where it occurs in the sixteenth line of said section and inserting in lieu thereof the word "four" and by inserting after the word "affairs" and before the word "one" where they occur in the seventeenth line of said section, the following: "Two committee clerks who shall act as committee room attendants and one telephone attendant," so that said section when so amended shall read as follows: Section 111a. The officers of the senate, other than the president and the president pro-tempore, shall be one chief clerk, one journal clerk, one book-keeper, one proof-reader, one engrossing clerk, one enrolling clerk, one index clerk, one custodian of the engrossing room, one custodian of the enrolling room, four stenographers, one clerk of the judiciary committee, one clerk of the joint committee on claims, one clerk of the committee on state affairs, two committee clerks who shall act as committee room attendants and one telephone attendant, one sergeant-at-arms, one assistant sergeant-at-arms, one post-master, one assistant post-master, one document clerk, one document room attendant, four doorkeepers, one gallery attendant who shall act as committee room attendant, two committee room attendants, one janitor, one custodian, one night watchman, one night laborer and eight messengers. The officers of the assembly, other than the speaker, shall be one chief clerk, one assistant chief clerk, two journal clerks, two book-keepers, one stationery clerk, one proof reader, one index clerk, one engrossing clerk, one enrolling clerk, one custodian of the engross-

*See chapter 438.

ing room, one custodian of the enrolling room, four stenographers, one clerk of the judiciary committee, one clerk of the committee on state affairs, two committee clerks who shall act as committee room attendants and one telephone attendant, one sergeant-at-arms, one assistant sergeant-at-arms, one postmaster, one assistant postmaster, one day attendant, four doorkeepers, two gallery attendants who shall act as committee room attendants, one document room clerk, one document room attendant, one porter who shall act as wash room attendant, two cloak room attendants, one night watchman, one flagman, two custodians for committee rooms and twelve messengers. The chief clerks of the senate and assembly shall appoint their own assistants, and may discharge any of them for cause or because of the cessation of the work which made their employment necessary. After the legislature has been in session thirty days said clerks may employ for each house an assistant index clerk, an assistant enrolling clerk, an assistant engrossing clerk, and four comparing clerks, a clerk each for the committees on engrossed and enrolled bills, and the chief clerk of the assembly may employ a clerk for the committee on bills on their third reading should the good of the service demand it. The chief clerks may employ such copyists as the proper and expeditious transaction of the business may require, not to exceed, however, fifteen in the senate and twenty in the assembly. The messengers may be assigned for attendance upon committees when necessary. The sergeant-at-arms of each house shall appoint and have full charge of the employes in his department, and may discharge any who are unfit or unqualified for the service assigned to them and employ competent persons in their places. No employes other than these provided for in this section shall be employed otherwise than by an act of the legislature.

Salary of chief clerks; per diem of other officers; compensation of copyists. SECTION 2. Section 112 of the revised statutes is hereby amended by inserting after the word "each" and before the word "the" where they occur in the thirteenth line of said section the following: "The stenographers, who shall furnish typewriting machines, four dollars each; the committee clerks who shall also act as committee room attendants, three dollars each; the telephone attendants, two dollars each," so that said section when so amended shall read as follows: Section 112. Said chief clerks shall receive a salary of eight hundred dollars each for every regular session, and ten dollars per diem for each special session, and fifty dollars for opening each session, which shall be in full for all services rendered. The other officers and

employees shall receive a per diem as follows: The assistant clerk, six dollars; the journal clerks, book-keepers, index clerks and sergeant-at-arms, five dollars each; the proof-readers, enrolling clerks, engrossing clerks, stationery clerks, assistant sergeants-at-arms, postmasters, document room clerks, document room attendants and general attendants, the clerks of committees on claims, judiciary and state affairs, four dollars each; the assistant postmasters, assistant enrolling clerks, assistant engrossing clerks and all other committee clerks, three dollars and fifty cents each; the messengers, two dollars each; all other clerks and employees, three dollars each; the stenographers, who shall furnish typewriting machines, four dollars each; the committee clerks, who shall also act as committee room attendants, three dollars each; the telephone attendants, two dollars each. The copyists shall be paid one dollar per day from the date of their employment, and fifteen cents per folio for enrolling, and ten cents per folio for other copying; the term "folio" meaning one hundred words, full count, and only on accepted work. Every clerk or employe shall assist, when required, at any other work than that to which he is regularly assigned. No per diem shall be allowed after the close of the session except for two days to the index clerks, whose duty it shall be within that time, to satisfactorily and fully complete the indexes of the journals, and if such work is not so completed a sufficient sum shall be reserved from the pay of the clerk who may be in default to insure the completion thereof.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved Jan. 24, 1901.

No. 22, A.] [Published Jan. 29, 1901.

CHAPTER 4.

AN ACT to fix the status of and to legalize the acts of the officers and voters of joint school district number one of the city of New Lisbon and the towns of Lisbon and Clearfield, Juneau county, Wisconsin.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Territory of district defined. SECTION 1. The territory embraced in joint school district No. one of the city of New Lisbon and the towns of Lisbon and Clearfield, Juneau county, Wisconsin, is hereby declared to constitute a joint school district under the general law regulating school districts, regardless of the provisions of the special charter of the city of New Lisbon, enacted in the year 1889, and since set aside by the adoption of a charter under the general law.

Acts of officers and voters of district declared legal. SECTION 2. All acts of the officers and voters of said joint school districts are hereby legalized and declared to be as valid as if said special charter had never been enacted, and all indebtedness of said school district, whether to the state or others, authorized by the voters of said district or its officers within the constitutiona limit is hereby declared legal and binding upon said district.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved Jan. 29, 1901.

No. 6, S.] [Published Feb 6, 1901.

CHAPTER 5.

AN ACT to appropriate a sum of money for the purchase of chairs for the use of the senate chamber.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Superintendent of public property to make purchase. SECTION 1. The superintendent of public property is hereby instructed and authorized, by and with the advice of the committee on state affairs of the senate, to purchase suitable chairs for the senators and officers of the senate, to be used in and about the senate chamber.

Appropriating clause. SECTION 2. There is hereby appropriated, out of any fund not otherwise appropriated, the sum of five hundred dollars, or so much thereof as may be necessary to carry out the provisions of said section.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved Feb. 5, 1901.

No. 33, S.] [Published Feb. 6, 1901.

CHAPTER 6.

AN ACT changing the times of holding general terms of the circuit court in and for Waushara county in the seventh judicial circuit.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

When terms to be held. SECTION 1. The general terms of the circuit court for Waushara county, in the seventh judicial circuit, shall hereafter be held as follows: On the last Monday in April, and on the third Monday in September, in each year.

Conflicting section repealed. SECTION 2. So much of section 2424, chapter 113 of the Wisconsin statutes of 1898, as conflicts with the provisions of this act, is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved Feb. 5, 1901.

No. 24, S.] [Published Feb. 15 1901.

CHAPTER 7.

AN ACT to legalize the official acts of Peter Reuter as a notary public for Outagamie county.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Time when acts were done; legalizing clause. SECTION 1. The official acts of Peter Reuter as a notary public within and for Outagamie county, as done and performed by him between the fouteenth day of October, A. D. 1898, and the fifteenth day of December, A. D. 1900, being the interval between the expiration of his commission as such notary public, and his discovery that such commission had expired, are hereby legalized and declared to be of as full force and effect to all intents and purposes as if he had been duly commissioned and qualified as such notary during the whole of said period of time.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved Feb. 13, 1901.

No. 21, A.] [Published Feb. 16, 1901.

CHAPTER 8.

AN ACT providing for the appointment of three commissioners, for the purpose of securing uniformity of legislation in vessel taxation.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Board to report in thirty days. SECTION 1. The governor shall immediately appoint a commission, consisting of three members whose duty it shall be to confer with the legislature of the state of Minnesota, for the purpose of securing uniformity of legislation upon the subject of vessel taxation. Said board shall within thirty days, from the date of its appointment, report to this legislature the result of such conference.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved Feb. 15, 1901.

No. 23, S.] [Published Feb. 21, 1901.

CHAPTER 9.*

AN ACT to amend section 1210d of the statutes of 1898, entitled, "re-assessment of void special assessments."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

New assessment; owner may appeal; re-assessment a lien; notice before new bonds can issue; liability of city if appeal successful. SECTION 1. Section 1210d of the statutes of 1898 is hereby amended by adding after the word "invalid" in the eighth line thereof the following: "because of said work having been done without authority of law, or," and by adding after the word "law" in the ninth line thereof the following:

*See chapter 19.

"either in adopting any part of chapter 40a of the statutes of 1898 or otherwise," and by striking out the words "and which may have tended to increase the contract price for doing the work" in the twelfth and thirteenth lines of said section 1210d, and by striking out the words "the owner of such property may appeal from such new assessment and such determination" in the twentieth and twenty-first lines of said section, and by inserting in lieu thereof the following words: "in any case where a new assessment is made under this act, the owner of property affected thereby may appeal from such new assessment and determination," and further by striking out the words "in front of such property to the middle of the street," where they occur in the twenty-second line of said section 1210d, and further by striking out the words "or to the holder of such special improvement bond, where such bonds have been sold by said city," where they occur in the twenty-ninth, thirtieth and thirty-first lines of said section, and inserting in lieu thereof the following words: "and the excess in the amount of such invalid certificate," and further by striking out the words, "the amount of such new certificate," where they occur in the thirty-second line thereof, and by inserting in lieu thereof "and when under such original assessment special improvement bonds have been issued, and as soon as the amount chargeable to the property benefited is finally determined, notice shall be given as provided for in section 925–191 of the statutes of 1898, and when so given and thirty days have elapsed after the giving of such notice, the common council may issue new special improvement bonds in lieu of such original bonds to the holder thereof upon surrender of the same for the amount of such new assessment remaining unpaid, such new bonds to bear interest at the same rate as the original bonds and to be redeemed, enforced and collected in the same manner as provided for in chapter 40a of the statutes of 1898, and the excess in the amount of such invalid special improvement bonds, if any, over such new bonds, shall be paid to the holder out of the proper fund and when new certificates are issued, the same," and further by striking out the word "certificate" where the same occurs in the thirty-eighth line of said section and by inserting in lieu thereof the word "assessment," and by striking out the words "to the appellant after he has paid the amount of such new certificate," where they occur in the fortieth and forty-first lines of said section, and inserting in lieu thereof "or from the time such new bond is issued. In all cases where the invalidity of any such special assessment, special assessment certificate, tax sale, tax sale certificate or special improvement bond is caused by reason of such work having

No. 38, S.] [Published Jan. 24, 1901.

CHAPTER 3.*

AN ACT to amend section 111a of the revised statutes entitled, "officers of the senate and assembly," and section 112 of the revised statutes entitled, "compensation of officers."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Officers of senate and assembly: additional help. SECTION 1. Section 111a of the revised statutes is hereby amended by striking out the word "two" where it occurs in the fifth line of said section and inserting in lieu thereof the word "four," and by inserting after the word "affairs" and before the word "one" where they occur in the seventh line of said section the following: "Two committee clerks who shall act as committee room attendants and one telephone attendant," and by striking out the word "two" where it occurs in the sixteenth line of said section and inserting in lieu thereof the word "four" and by inserting after the word "affairs" and before the word "one" where they occur in the seventeenth line of said section, the following: "Two committee clerks who shall act as committee room attendants and one telephone attendant," so that said section when so amended shall read as follows: Section 111a. The officers of the senate, other than the president and the president pro-tempore, shall be one chief clerk, one journal clerk, one book-keeper, one proof-reader, one engrossing clerk, one enrolling clerk, one index clerk, one custodian of the engrossing room, one custodian of the enrolling room, four stenographers, one clerk of the judiciary committee, one clerk of the joint committee on claims, one clerk of the committee on state affairs, two committee clerks who shall act as committee room attendants and one telephone attendant, one sergeant-at-arms, one assistant sergeant-at-arms, one post-master, one assistant post-master, one document clerk, one document room attendant, four doorkeepers, one gallery attendant who shall act as committee room attendant, two committee room attendants, one janitor, one custodian, one night watchman, one night laborer and eight messengers. The officers of the assembly, other than the speaker, shall be one chief clerk, one assistant chief clerk, two journal clerks, two book-keepers, one stationery clerk, one proof reader, one index clerk, one engrossing clerk, one enrolling clerk, one custodian of the engross-

*See chapter 438.

such new assessment, is hereby made a lien upon such property, and a certificate to that effect shall be issued by the proper city authorities to the holder of the invalid special assessment certificate or tax sale certificate aforesaid upon surrender thereof or proof that it has been canceled, and the excess in the amount of such invalid certificate over such new certificate, if any, shall be paid to such holder out of the proper fund. And when under such original assessment special improvement bonds have been issued, and as soon as the amount chargeable to the property benefited is finally determined by such new assessment, notice shall be given as provided for in section 925–191 of the statutes of 1898, and when so given and thirty days have elapsed after the giving of such notice the common council may issue new special improvement bonds in lieu of such original bonds to the holder thereof upon surrender of the same for the amount of such new assessment remaining unpaid, such new bonds to bear interest at the same rate as the original bonds and to be redeemed, enforced and collected in the same manner as provided for in chapter 40a of the statutes of 1898, and the excess in the amount of such invalid special improvement bonds, if any, over such new bonds shall be paid to the holder out of the proper fund, and when new certificates are issued the same shall be carried into the annual tax roll of city taxes levied against such property, collected as a tax, and paid to the holder of such new certificate in the manner provided by law for the payment of special assessment certificates. In case of appeal from such new assessment or such determination, or both, the proceedings herein mentioned shall take place as if no appeal had been taken; but if the appellant succeed and the amount of such new assessment exceeds the amount finally adjudged on such appeal the city shall pay such excess with interest thereon from the time the amount of such new certificate is payable or from the time such new bond is issued. In all cases where the invalidity of any such special assessment, special assessment certificate, tax sale, tax sale certificate or special improvement bond is caused by reason of such work having been done without authority of law or by the failure of the common council to pass a valid ordinance adopting any part of chapter 40a of the statutes of 1898 or by reason of having omitted from such ordinance any part or parts of said chapter 40a, no new assessment of benefits and damages as hereinbefore provided for shall be had or made unless an ordinance shall have been first duly passed, adopting as a part of the city charter all the essential provisions of said chapter 40a relating to city improvements so as to be in force at the time of making such new assessment.

After the passage of such ordinance, all proceedings taken for a new assessment of benefits and damages shall be as valid and effectual for all purposes as if taken before the doing of the work.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved Feb. 21, 1901.

No. 52, S.] [Published Feb. 23, 1901.

CHAPTER 10.

AN ACT relating to the apportionment, assessment and payment of expenses of commissioners appointed to review the equalization of county boards, and adding a new section to the statutes of 1898 to be known as section 1077aa.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Expense of commission, how borne on favorable decision. SECTION 1. A new section is hereby added to the statutes of 1898 to be numbered and to read as follows: Section 1077aa. If the decision of the commissioners results in favor of the city, town or village making the application for such commission, the expense incurred in connection with such commission shall be borne by the balance of the county, and the county clerk of the county in which such commissioners are appointed shall at the next apportionment of county taxes, deduct from the amounts assessed against such petitioning town, city or village for county taxes and assess pro rata to all the other towns, cities and villages in the county a sum equal to the portion of all county orders and certificates of the clerk of the circuit court issued on account of such commission, which such petitioning town, city or village is called upon to pay.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved Feb. 21, 1901.

No. 3, A.] [Published Feb. 23, 1901.

CHAPTER 11.

AN ACT to repeal chapter 106 of the laws of Wisconsin for the year 1876, entitled, "An act to authorize and require the county clerk of the county of Burnett to make and keep up an abstract of tax sales."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Repealing section. SECTION 1. Chapter 106 of the laws of Wisconsin, for the year 1876, entitled, "An act to authorize and require the county clerk of the county of Burnett to make and keep up an abstract of tax sales," is hereby repealed.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved Feb. 21, 1901.

No. 16, A.] [Published Feb. 23, 1901.

CHAPTER 12.

AN ACT to amend section 13, chapter 241, of the laws of Wisconsin for the year 1893, fixing the salary of the clerk of the municipal court for the city and county of Ashland.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Clerk's salary increased to $900. SECTION 1. Section 13 of chapter 241 of the laws of Wisconsin, passed in the year 1893, is amended by striking out the word "six," where it occurs in the fifth line of said section between the words "of" and "hundred," and inserting in lieu thereof the word "nine," so that said section when so amended shall read as follows: The judge for his services in criminal matters shall receive, in addition to the compensation hereinbefore provided, a salary of sixteen hun-

dred dollars per year to be paid monthly, and the clerk the sum of nine hundred dollars per year, to be paid monthly as follows: One-half thereof shall be paid out of the treasury of Ashland county, and one-half out of the treasury of the city of Ashland.

Conflicting acts repealed. SECTION 2. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved Feb. 21, 1901.

No. 80, A.] [Published Feb. 23, 1901.

CHAPTER 13.

AN ACT relating to the terms of court in the fifth judicial circuit, and amendatory of section 2424, Wisconsin statutes of 1898.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Fifth circuit, date of terms in. SECTION 1. The sub-division of section 2424, Wisconsin statutes 1898, on page 1748 of said statutes, which fixes the times for the holding of terms of court in the fifth judicial circuit is hereby amended so that said sub-division when amended shall read as follows: Fifth Circuit: In the county of Grant on the third Monday in February and the second Monday in October; in the county of Iowa on the third Monday in March and the fourth Monday in September; in the county of Lafayette on the first Monday in June and the first Monday in December; in the county of Richland on the second Tuesday in April and the second Tuesday in September; in the county of Crawford on the second Tuesday before the first Monday in June and the second Tuesday in November.

Exception. SECTION 2. This act shall not apply to the February term of court 1901, in the county of Grant.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved Feb. 21, 1901.

No. 19, S.] [Published Feb. 23, 1901.

CHAPTER 14.

AN ACT relating to depositions to perpetuate testimony and adding a new section to the statutes of 1898 to be known as section 4119a.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Court commissioner may act. SECTION 1. A new section is hereby added to the statutes of 1898 to be numbered and to read as follows: Section 4119a. It shall be lawful for a court commissioner to act in the place of a judge of a court of record in any proceeding had under sections 4117, 4118 and 4119 of the statutes of 1898.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved Feb. 21, 1901.

No. 34, S.] [Published Feb. 23, 1901.

CHAPTER 15.

AN ACT relating to incompetent persons under guardianship, and adding a new section to the statutes of 1898, to be known as section 3987a.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

When an incompetent may be declared competent. SECTION 1. A new section is hereby added to the statutes of 1898, to be numbered and to read as follows: Section 3987a. On a proper showing made to the county court, a person previously adjudged incompetent, may be adjudged competent.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved Feb. 21, 1901.

No. 99, S.] [Published Feb. 23, 1901.

CHAPTER 16.

AN ACT to compensate the legislative visiting committee appointed to visit the state charitable and penal institutions.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Amount appropriated. SECTION 1. There is hereby appropriated, out of money in the state treasury not otherwise appropriated, for expenses incurred by the state visiting committee, for 1900 and 1901, to the state institutions; to J. J. McGillivray one hundred fifty-seven dollars and thirty-seven cents; to P. A. Orton one hundred twenty-five dollars; to James Johnston one hundred sixty dollars.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved Feb. 21, 1901.

No. 46, A.] [Published Feb. 23, 1901.

CHAPTER 17.

AN ACT granting to the United States, jurisdiction over certain lands in Douglas county.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Jurisdiction except for service of civil and criminal process. SECTION 1. The consent of the state of Wisconsin is hereby given, to the acquisition, by purchase, or condemnation in the manner prescribed by its laws, upon making just compensation thereof, of any tract or tracts of land, in the city of Superior and county of Douglas, which may be required for a site for a public building, or for other purposes of the government of the United States, and the state hereby cedes to the United States, exclusive jurisdiction over such tract or tracts of land as shall

be acquired for the purposes aforesaid, so long as the same shall be or remain the property of the United States, for all purposes except the service of civil or criminal process therein.

Lands exempt from taxes. SECTION 2. That the lands aforesaid, when so acquired, shall thereafter be exempt from all taxes and assessments levied or imposed under authority of the state, so long as the same shall remain the property of the United States.

SECTION 3. This act shall take effect and be in force from and after its approval.

Approved Feb. 21, 1901.

No. 144, S.] [Published Feb. 23, 1901.

CHAPTER 18.

AN ACT relating to the municipal court for Rock county.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Dismissal of appeal. SECTION 1. If neither party shall bring a case appealed to the municipal court for Rock county to a hearing in said court within six months after the filing of the return of the justice therein, such court shall dismiss the appeal unless it shall continue the same by special order for cause shown.

Calling in of circuit or county judge, on application for change of venue. SECTION 2. When in any case pending in said municipal court for Rock county on information or on appeal, a change of venue shall be applied for on account of the prejudice of the judge of said court, said judge may, in lieu of granting such application, in his discretion, retain such action in the same court, without entering an order changing the place of trial, for not exceeding twenty days and in the meantime shall call upon the circuit judge or the county judge of said county to attend and hold court for the trial of such action. If either of said judges can so attend and hold court for such purpose the same shall be done with the same effect as if a change of

venue to the circuit court of said county had been granted and a trial of such action had been had therein. If neither said judges may attend within said twenty days however, said change of venue shall thereupon be made. Jurisdiction to hear, try and determine any such case is hereby granted to both said judges. Jurisdiction of any action in said court shall not be lost by failure to continue the same to a day, or place certain or by the extension of the trial beyond the said twenty days mentioned above.

Compensation of attending judge. SECTION 3. Any qualified person attending and holding court in the place of the municipal judge of the municipal court for Rock county shall receive therefor the sum of five dollars per day for each day he is actually so engaged, to be paid by the county treasurer of Rock county upon the certificate of said municipal court, not more than thirty days, however, in any one year to be paid for by said county. Said county shall have the right to charge back to the city of Janesville one-third of any moneys so paid.

Powers of municipal judge over verdicts, judgments, rulings, etc. SECTION 4. For ten days after judgment in civil actions, and for twenty-four hours after judgment in criminal causes over which the municipal court for Rock county or the judge of said court has jurisdiction to hear, try and determine, the said municipal judge shall have, and he is hereby vested with the same power over verdicts, judgments, rulings, orders and proceedings in his court as are possessed by the circuit courts over their judgments, orders and proceedings at or before trial or judgment and during trial term. And said municipal judge may direct or set aside verdicts, grant new trials on payment of all costs or on such conditions as to costs as justice requires, modify and reverse judgments and orders of his said court or of the judge thereof, or do any act or thing which circuit courts may do during trial term, being governed therein by the general law and practice of the circuit courts, as near as may be, where the rules of law for justice courts are inadequate or do not apply.

Limit of judgment by confession. SECTION 5. Judgment may be rendered in said municipal court for Rock county by confession for any sum not exceeding one thousand dollars, in the manner provided by statute.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved Feb. 21, 1901.

No. 457, A.] [Published Feb. 23, 1901.

CHAPTER 19.

AN ACT amending section 1210d of the Wisconsin statutes of 1898, relating to the re-assessment of void special assessments.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

No proceedings to be had after three years. SECTION 1. Section 1210d of the Wisconsin statutes of 1898, is hereby amended by adding at the end thereof the following: "No proceedings shall be had under the provisions of this section for the re-assessment of any tax or assessment after the expiration of three years from the time the original tax or assessment was set aside or declared void."

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved Feb. 23, 1901.

No. 43, A.] [Published March 1, 1901.

CHAPTER 20.

AN ACT to establish a ferry across Lake St. Croix at Hudson.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Limitations as to other ferries. SECTION 1. H. J. Anderson, his successors and assigns, shall have the exclusive right and privilege, for the term of ten years, from and after April 15, 1901, of keeping and maintaining a ferry across Lake St. Croix, from the city of Hudson, in the state of Wisconsin, to Lakeland in the county of Washington, in the state of Minnesota, and no ferry charter shall be granted during the said period, within one mile below the said city of Hudson and the village of Lakeland, Minnesota, and above said city and village and below the rail-

road bridge over the Lake St. Croix. This grant, so far as it is exclusive, being, however, upon condition that the said H. J. Anderson, his successors and assigns, shall, during said period, maintain and operate the said ferry so as to subserve the public interest and convenience, as herein provided.

Steam or other power to be used; night service. SECTION 2. There shall be kept for use a good and sufficient boat or boats, propelled by steam or otherwise, for the use and accommodation of all persons wishing to cross said ferry; and said H. J. Anderson his successors and assigns, shall give prompt and ready attendance to passengers desiring to cross said ferry either with or without teams and merchandise, on all occasions; provided, that said boat or boats need not be run when serious injury would result thereto by contact with ice, or otherwise; and provided, further, that when crossing is demanded after eight o'clock at night, double the usual rates for ferrying may be charged; and provided, further, that said H. J. Anderson, his successors and assigns shall not be obliged to run their boat or boats before the hour of seven o'clock in the morning nor after the hour of eight o'clock at night, of each week day, nor before the hour of nine o'clock in the morning, nor after the hour of six o'clock at night on Sunday.

Penalty for other persons conducting a ferry during running hours. SECTION 3. Any person who shall make it a regular business, during the running hours of the ferry, to in any manner carry any person, persons, teams, goods or chattels across said lake in any boat or boats, to or from the Wisconsin shore of said lake within the limits above mentioned, to the opposite shore, for hire, shall forfeit and pay for each offense the sum of ten dollars and costs to be collected and recovered by the said H. J. Anderson, his successors and assigns, in any court having jurisdiction thereof.

Rates of toll; reduction of rates. SECTION 4. The rates for crossing at the said ferry shall not exceed the following: namely. For each foot passenger, one way, ten cents; for round trip, fifteen cents; for each horse, mare, gelding, mule or ass, with or without a rider, one way, twenty cents; for each vehicle drawn by two animals, loaded or unloaded, with a driver, one way, forty cents; and for a round trip, sixty-five cents; for each two horse or two ox teams, with a driver and without a wagon, one way, thirty cents; for single horse and carriage, one way, thirty cents, and for a round trip fifty cents; for each ox or cow, one way, fifteen cents; for each swine, or sheep one way, five cents.

All freight or merchandise or other articles, not with cr on a wagon or team, at the rate of five cents per barrel, or five cents per hundred weight; lumber shall be ferried at the rate of thirty cents per thousand feet, when delivered on board said boat or boats; provided, that the city council of the city of Hudson, shall have authority to reduce said rates, whenever it shall deem proper.

Conflicting laws repealed. SECTION 5. All acts or parts of acts which contravenes the provisions of this act are hereby repealed.

SECTION 6. This act shall take effect and be in force from and after April 15, 1901.

Approved Feb. 28, 1901.

No. 335, A.] [Published Feb. 28, 1901.

CHAPTER 21.

AN ACT regulating license fees to be paid by life insurance companies, corporations and associations, and to amend section 1220 of the Wisconsin statutes of 1898, as amended by chapter 326 of the laws of Wisconsin for the year 1899.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

What companies to pay license. SECTION 1. Section 1220 of the Wisconsin statutes of 1898, as amended by chapter 326, of the laws of 1899, is hereby amended so as to read as follows: Section 1220. Every company, corporation or association transacting the business of life insurance within this state, excepting only such fraternal societies as have lodge organizations and insure the lives of their own members and no others, shall, on or before the first day of March, in each year, pay into the state treasury as an annual license fee for transacting such business, the amounts following:

Rate for companies organized within state; income how ascertained. First. If such company, corporation or association is organized under the laws of this state, and is not purely an as-

sessment or stipulated premium plan company under chapter 270, laws of 1899, three per centum of its gross income from all sources for the year ending December 31st, next prior to said first day of March excepting therefrom income from rents of real estate upon which said company, corporation or association has paid the taxes assessed thereon, and excepting also premiums collected outside of the state of Wisconsin on policies held by non-residents of the state of Wisconsin. In ascertaining the income upon which such license fee shall be computed as aforesaid, no deduction shall be made from premiums, whether paid in cash or premium notes, on account of dividends allowed or paid to the insured.

Rate for companies organized without state; exceptions. Second. If any such company, corporation or association is organized without the state of Wisconsin, and is not purely an assessment company, it shall pay into the state treasury, as such annual license fee, the sum of three hundred dollars, except that whenever the similar taxes and fees imposed upon a company of another state under section 1221, statutes of 1898, shall exceed three hundred dollars, the amount of the annual license fee shall be deducted.

License fees of other companies. SECTION 2. Every other such association, corporation or company doing business within this state, whether organized within or without the state, including all assessment companies and associations, and stipulated premium plan companies under chapter 270, laws of 1899, and excepting only such fraternal organizations as are hereinbefore specified, shall, on or before the first day of March, in each year, pay into the state treasury of the state as an annual license fee, the sum of three hundred dollars.

Power granted by license; license fee in lieu of all taxes, except on real estate. SECTION 3. Such license, when granted shall authorize the company, corporation or association to whom it is issued to transact business until the first day of March of the ensuing year, unless sooner revoked or forfeited. The payment of such license fee shall be in lieu of all taxes for any purpose authorized by the laws of this state, except taxes on such real estate as may be owned by such company, corporation or association.

Extension of license to become due on May 1. SECTION 4. Any such company, corporation or association may have such license extended in any year, from the first day of March to the first day of May, by paying a pro rata share of the license

fee prescribed by this act for the intervening two months and thereafter said annual license fee shall be paid on the first day of May of each year, and shall authorize such company, corporation or association to transact business until the first day of May of the ensuing year.

Conflicting laws repealed. SECTION 5. All acts and parts of acts conflicting with the provisions of this act are hereby repealed.

Provisions of act not to affect Section 1221. SECTION 6. This act shall not affect, alter or repeal the provisions of section 1221 of the statutes of 1898, which section is hereby declared to be in full force and effect.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved Feb. 28, 1901.

No. 92, A.] [Published March 1, 1901.

CHAPTER 22.

AN ACT to amend section 1951 of Wisconsin statutes of 1898, in relation to investments by domestic life insurance companies.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

May invest in municipal bonds, securities of railway or street railway; loans to policy holders. SECTION 1. Section 1951 of the Wisconsin statutes of 1898, is hereby amended by striking out the word "first" in the sixth line thereof, and by adding after the word "railway" in the same line of said section, the words " or street railway;" also by striking out the word "surplus," in the sixteenth line of said section; so that said section when so amended shall read as follows: Section 1951. Every such corporation organized under the laws of this state, may invest its funds and accumulations in stocks or bonds of the United State or of this state, or of any county, city, town or village, or duly organized school district therein, or in mortgages, being

first liens on real estate worth at least twice the money loaned thereon, or in the mortgage bonds of any railway or street railway company duly incorporated and organized under the authority of this state; and it may also make loans on the security of promissory notes, amply secured by pledge of any of the bonds in which such insurance corporations are hereby authorized to invest their funds, and every such corporation may not only loan to its policy holders, sums not exceeding one-half the annual premiums on their policies, upon notes to be secured by the policies of the persons to whom the loans may be made, but may also make loans upon the security of its own policies to an amount not exceeding ninety-five per cent. of the cash surrender value of each such policy at the time of making any loan; and such corporation may invest its funds in other states on like securities and under the same restrictions as in this state. No life insurance corporation organized under the laws of this state shall issue policies insuring fire, marine, accident or live stock risks or do any banking business.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved Feb. 28, 1901.

No. 51, A.] [Published March 1, 1901.

CHAPTER 23.

AN ACT to amend sections 3825 and 3826, Wisconsin statutes of 1898, relating to the discovery of property by proceedings in county court.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Court may cite suspected person to appear; production of books, records, etc.; proceedings not to bar other proper actions. SECTION 1. Section 3825 of the Wisconsin statutes of 1898, is hereby amended so as to read as follows: Section 3825. If any executor or administrator, heir, legatee, creditor or other person interested in the estate of any deceased person shall complain to the county court on oath that any person is suspected

to have concealed, embezzled, conveyed away or disposed of any money, goods or chattels of the deceased, or that any person is indebted to the deceased, or that any person has in his possession or under his control, or has knowledge of any concealed property of the deceased, or has in his possession or under his control, or has knowledge of any deeds, conveyances, bonds, contracts or other writings which contain evidence of or tend to disclose the right, title, interest or claim of the deceased to any real or personal estate, or any claim or demand, or any last will and testament of the deceased, the said court may cite such suspected person to appear before it and may examine him on oath upon the matter of such complaint. Whenever any such suspected person shall be cited to appear before the county court pursuant to the provisions of this section or pursuant to the provisions of section 3989, Wisconsin statutes of 1898, the court may cause to be subpoenaed and brought before it witnesses and compel the production of books, records and all other papers and testimony, documents or writings which may be competent evidence in relation to said complaint against such suspected person, whether in support of or in opposition to such complaint, and may receive any competent evidence in relation to any indebtedness by such person to the deceased, and the court may then make such order in relation to the matter stated in such complaint and in relation to such indebtedness as shall be just and proper, but any such proceedings or order shall not prevent the bringing of any proper action by such administrator, heir, legatee, creditor or other person, interested in the estate as is now provided by law.

Testimony how taken; witness may be compelled to sign same; penalty for refusal to appear. SECTION 2. Section 3826 of the Wisconsin statutes of 1898, is hereby amended so as to read as follows: Section 3826. The examination of such suspected person and all witnesses may be by written or oral interrogatories and the testimony so given shall be signed by the party examined. All testimony so given may be taken by a stenographer and transcribed by him into long hand. If such testimony is taken by a stenographer the person giving such testimony may be required by the court to attend before the court to read and sign the same after it is transcribed into long hand, and his attendance for such purpose may be compelled by subpoena and tender or payment of witness fees and mileage in the same manner that witnesses are now compelled to attend county court. If the person so cited or subpoenaed shall refuse to appear and submit to such examination or to answer such inter-

rogatories as may be put to him touching the matter of such complaint or refuse to obey any other order of the court made in such proceedings, the court may, by warrant for that purpose, commit him to the common jail of the county, until he shall submit to the order of the county court.

Conflicting laws repealed. SECTION 3. All acts or parts of acts in conflict with the provisions of this act, are hereby repealed.

SECTION 4. This act shall take effect and be in force, from and after its passage and publication.

Approved Feb. 28, 1901.

No. 55, A.] [Published March 1, 1901.

CHAPTER 24.

AN ACT to make the requirements for administrators' bonds uniform with the requirements for executors' bonds, and amending section 3809 of the Wisconsin statutes of 1898.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Bond to have one or more sureties; separate bonds. SECTION 1. Section 3809 of the Wisconsin statutes of 1898, is hereby amended by omitting the word "such" where it occurs in the third line of said section and inserting in lieu thereof the words "one or more" and also by inserting the words "one or more" between the words "with" and "sureties" where they occur in the eighth line of said section; so that said section when so amended shall read as follows: Section 3809. Every administrator before he enters upon the execution of his trust and before letters of administration shall be granted to him, shall give a bond to the judge of the county court, with one or more sureties, as the court shall approve, with substantially the same conditions as are required of executors by section 3794, with such variations only as may be necessary to make it applicable to the case of an administrator. When two or more persons shall be appointed administrators of any estate, the county court may take a sep-

arate bond from each with one or more sureties or a joint bond from all, with sureties.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved Feb. 28, 1901.

No. 96, A.] [Published March 1, 1901.

CHAPTER 25.*

AN ACT to amend section 2464, of Wisconsin statutes of 1898, relating to county courts.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

What county judges may hold special terms; where held. SECTION 1. Amend section 2464, Wisconsin statutes of 1898 by inserting before "Columbia," in the second line, the word "Grant," also by inserting in line six of said section, after the word "counties," the words, "in the county of Grant, at the city of Platteville," so that said section when amended shall read as follows: Section 2464. The county judges of the counties of Grant, Columbia, Waukesha, Pepin, Dodge and Green Lake may keep their offices and hold special terms of the county court at any time between the times of holding the regular terms and transact any business which might be done at, or which may be continued from, any regular term to such special term at the following places in their respective counties: In the county of Grant at the city of Platteville; in the county of Columbia at the city of Columbus; in the county of Waukesha, at the city of Oconomowoc; in the county of Pepin, at the village of Pepin; in the county of Dodge, at Beaver Dam and Mayville; in the county of Green Lake, at Princeton and Berlin. All orders, judgments and business which shall be made or done at such special terms and places, or as shall have been heretofore so made or done, are declared valid.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 1, 1901.

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*See chapter 454.

No 50, S.] [Published March 6, 1901.

CHAPTER 26.

AN ACT to amend section 3358 of the statutes of 1898 relating to the service of notices to quit.

The people of the State of Wisconsin represented in senate and assembly do enact as follows:

Proceedings to remove tenant; holding over after lease expires; default in payment of rent; absent tenant; after notice. SECTION 1. Subdivision 2 of section 3358 of the statutes of 1898 is hereby amended by adding at the end thereof the following; "In case the tenant of the demised premises can not be found, and there is no person residing on the premises, then such notice may be served by affixing same in a conspicuous part of the premises, where it may be conveniently read for at least ten days before an action is brought for the removal of such tenant under this section," so that said section, when so amended shall read as follows; Section 3358. In the following cases any tenant or lessee at will, or by sufferance, or for any part of a year, or for one or more years of any real property, including a specific or undivided portion of a house or other dwelling, and the assigns, under-tenants or legal representatives of such tenant or lessee may be removed therefrom in the manner prescribed in this chapter, except that nothing herein contained shall affect the provisions of section 2197a.

1. When such person holds possession after the expiration of the term by lapse of time or after such tenancy at will or sufferance has been terminated by either party in the manner provided in section 2183 and 2184, and without the permission of the landlord.

2. When such person holds over without such permission after any default in the payment of rent pursuant to the agreement under which he holds and three days' notice in writing, requiring in the alternative the payment of the rent or the possession of the premises, has been served in behalf of the person entitled to such rent on the person in possession of the same in manner provided in section 2636 for the service of a summons, and such notice may be served by the lessor or any person in his behalf. In case the tenant of the demised premises can not be found, and there is no person residing on the premises, then such notice may be served by affixing same in a conspicuous part of the premises,

where it may be conveniently read for at least ten days before an action is brought for the removal of such tenant under this section.

3. When such person holds over without such permission, contrary to any other conditions or covenants of the agreement under which he holds, after three days' notice requiring the delivery of the possession of the premises has been served, as above required, on the person holding such possession.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 2, 1901.

No. 39, S.] [Published March 6, 1901.

CHAPTER 27.

AN ACT relating to terms of court in the twelfth judicial circuit and amendatory of section 2424 of the Wisconsin statutes of 1898.

The people of the State of Wisconsin represented in senate and assembly do enact as follows:

Twelfth circuit terms; when and where held. SECTION 1. Section 2424 of the Wisconsin statutes of 1898 is hereby amended by striking out all after the word "of" in the first line of that part of said section relating to terms of court in the twelfth judicial circuit, and inserting in lieu thereof the following: Jefferson on the first Monday of February, the second Monday of June and the third Monday of September; in the county of Green on the first Monday of April, the fourth Monday of June and the third Monday of October; in the county of Rock on the fourth Monday in February, the first Monday in June and the third Monday in November, so that said part of said section when so amended shall read as follows: Twelfth Circuit.—In the county of Jefferson on the first Monday of February, the second Monday of June, and the third Monday of September, in the county of Green on the first Monday of April, the fourth Monday of June and the third Monday of October, in the county of Rock on the fourth Monday in February, the first Monday in

June and the third Monday in November. No jury shall be summoned for either of the terms held in June.

Conflicting laws repealed. SECTION 2. All acts and parts of acts conflicting with this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after July first, 1901.

Approved March 2, 1901.

No. 51, S.] [Published March 6, 1901.

CHAPTER 28.

AN ACT to make recitals in deeds and wills evidence in certain cases.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Recitals as to pedigree, etc.; foreign or domestic will, when admissible. SECTION 1. The following shall be section 2216c of the statutes of 1898: Section 2216c. Whenever any deed, mortgage, land contract or other conveyance shall contain a recital in respect to pedigree, consanguinity, marriage, celibacy, adoption or descent, and shall have been recorded in the proper register's office for twenty years and in other respects shall be admissible in evidence under sections 2215a, 2216, 2216a, 2216b, or any other provision of the law making the same evidence, the same shall be admitted in any court as prima facie evidence of such facts so recited. Any will of real estate, or a copy thereof, foreign or domestic, containing any such recital shall also be admitted in evidence as prima facie evidence of such recital if the same has been proved or admitted to probate and in other respects admissible.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 2, 1901.

No. 11, S.] [Published March 6, 1901.

CHAPTER 29.

AN ACT relating to the county court of Milwaukee county and providing for the appointment therein of a register of probate and assistant registers and other officers, and defining their duties and fixing their compensation.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Appointment of register; qualifications; oath, bond, and salary. SECTION 1. After the first day of May 1901, there shall be appointed by the county judge of Milwaukee county, a register of probate for the county court of the county of Milwaukee, who shall hold his office during the pleasure of said judge. Such register shall be versed in the law pertaining to probate business, and before he shall enter upon the duties of his office, he shall procure from the justices of the supreme court of this state, or a majority of them, a certificate to that effect, and he shall also take the oath of office prescribed by the constitution of the state, and give an official bond conforming substantially to the official bond required of the clerk of the circuit court, except in description of the office; such bond to be approved, recorded and filed in like manner as the official bond of said clerk, and be subject to the same provisions of law. He shall receive for his services a salary of twenty-five hundred dollars per annum, payable monthly at the end of each and every month, out of the treasury of said county; he shall receive no fees of office or other compensation than his salary; he shall have no connection with any other attorney in the practice of law; and he shall not be a commissioner, appraiser or divider of any estate in any case within the jurisdiction of said court.

Duties; may advise executors, when; issue and make orders. SECTION 2. Said register of probate shall have the care and custody of all books, papers and records now required by law to be kept in the care and custody of the county judge, and shall carefully preserve the same to be delivered to his successor or to the person authorized by law to receive the same. He shall keep such books and make such entries and records therein as shall be required by law or by any rule of the court or by any special order of the judge; he may give under the seal of the

court, certified copies and transcripts of any paper, record, or document in his custody; he shall keep his office, and the books, papers and records thereof, at the office of said county judge, which office, books, papers and records shall, at all reasonable times be open to access and inspection by any person having any business therewith; he shall, if required by the parties, draw petitions, orders and other papers required in matters pending or intended to be brought before said court or judge, until some contest or dispute shall arise in reference to the same, in estates the value of which as shown by the petition does not exceed two thousand dollars; he shall also in such last mentioned estates, from time to time, in matters and proceedings in which there is no contest, advise executors, administrators and guardians, in regard to their duties in the administration of estates under their charge, and in regard to the manner of performing such duties; and he may draw all orders, judgments and decrees necessary and proper to carry into effect any decision or order of the court or judge in probate proceedings whenever directed by the judge. Said register of probate is also authorized and empowered to make and issue, under the direction of the court, orders for and notices of the publication and hearing of applications made or to be made to the county court, citations and orders to show cause returnable before the court, and subpoenas; such orders, notices, citations and subpoenas shall be signed by him as follows:

By the court,

.....,

Register of Probate.

And when so signed shall be considered the act of the court, and shall have the same force and effect as if signed by the county judge.

Rates for certified copies; duties as to moneys received. SECTION 3. The rates allowed by law for certified copies of record or papers in the office of county judge and for certified copies of records and papers on appeal in probate matters, shall be charged and collected by the register of probate, and he shall keep an account thereof in a suitable account book to be provided by the county of Milwaukee. On the first day of each month he shall pay said moneys so received over to the county treasurer of Milwaukee county, who shall issue to said register his receipt therefor, which shall be kept and filed in the office of said county judge.

County judge may appoint assistants; powers of and salaries. SECTION 4. The county judge may appoint a first assistant

register of probate and a second assistant register of probate of said county court, whenever the business may require it. Such assistant registers shall take a like oath and give a like bond as required of said register of probate. They shall hold their office during the pleasure of the county judge. In the absence of the register of probate from his office, the first assistant register and in the absence of both the register and the first assistant register, the second assistant register, may perform all the duties of the register of probate, with such exceptions and limitations as may be fixed by the county judge. The salary of the first assistant register of probate shall be one thousand eight hundred dollars per annum, and of the second assistant register of probate one thousand two hundred dollars per annum, each payable monthly at the end of each and every month, out of the treasury of said county; they shall receive no fees of office or other compensation than their salary.

Register or an assistant to be present in court. SECTION 5. The register of probate or one of his assistants, shall be present at all hearings before the court; he or one of his assistants may administer all necessary oaths, and take and certify the acknowledgment of all deeds and other instruments required or authorized to be acknowledged; and he or one of his assistants, shall keep minutes of all proceedings, and make up and keep the court calendar, under the direction of the judge.

Powers of judge not abridged. SECTION 6. Nothing in this act shall be construed as prohibiting the county judge from drawing any papers or giving any counsel in probate matters or proceedings in which there is no contest involved; provided such judge shall receive for such services no fees or other compensation than his salary now provided by law.

Judge may appoint clerks. SECTION 7. The county judge may, whenever the business of the office requires it, appoint a clerk or clerks at a salary not exceeding eight hundred dollars per annum for each, and the amount necessarily expended therefor, shall be paid monthly at the end of each and every month out of the treasury of said county.

Appointment of reporter; to be sworn officers; salary and fees. SECTION 8. The judge of the county court of the county of Milwaukee, is hereby authorized to appoint for said court, a short-hand reporter, whose duty it shall be to attend upon each term of said court when required by the judge, for the purpose of reporting the oral testimony of the witnesses and such other matters as the judge of said court may direct, the said short-

hand reporter to be a sworn officer of the court and well skilled in his art, and fully competent to discharge the duties thereof. He shall hold his office at the pleasure of the judge and shall receive for his services a salary of two thousand dollars per annum, payable monthly at the end of each and every month out of the treasury of said county. The county judge, may in his discretion, order a transcript of the testimony of the witnesses examined in said court or any part thereof, and of the proceedings therein, to be made and certified by the reporter and filed with the register of probate, and the cost thereof at the rate of five cents per folio, shall be paid by the county treasurer upon the certificate of the register of probate. In case any person desires a transcript in longhand of the evidence taken in any proceeding in said court or any part thereof, said reporter shall make such transcript duly certified by him to be correct, and he shall be entitled from the party requesting the same, five cents per folio when written out in full, and when at the request of the party it shall be written in narrative form, ten cents per folio.

Conflicting laws repealed. SECTION 9. All acts and provisions of law contravening the provisions of this act or inconsistent therewith, are hereby repealed.

SECTION 10. This act shall take effect and be in force from and after its passage and publication.

Approved March 2, 1901.

No. 43, S.] [Published March 6, 1901.

CHAPTER 30.

AN ACT relating to persons authorized to solemnize marriages and adding two new sections to the statutes of 1898, to be known as section 2331a, and 2331b.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Licentiate may perform ceremony, when. SECTION 1. Two new sections are hereby added to the statutes of 1898 to be numbered and to read as follows: Section 2331a. In addition to

the persons named in section 2331 of the Wisconsin statutes of 1898, it shall be lawful for any licentiate of a denominational body or an appointee of any bishop, while serving as the regular minister or priest of any church of the denomination to which he belongs, to solemnize marriages, provided he be not restrained from so doing by the discipline of his denomination.

Credentials to be filed with clerk of circuit court. SECTION 2331b. Before any person named in section 2331a shall be authorized to solemnize a marriage, he shall file credentials of license or appointment with the clerk of circuit court of the county in which is located the church under his ministry, who shall record the same and give a certificate thereof; and the place where such credentials are recorded shall be indorsed upon each certificate of marriage granted by any such licentiate or appointee and recorded with the same.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 5, 1901.

No. 181, S.] [Published March 9, 1901.

CHAPTER 31.

AN ACT requiring county judges to file with the secretary of state their official signature and impression of court seal.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Law applicable to judges serving or to be elected. SECTION 1. Every county judge now serving in the state of Wisconsin, and every county judge hereafter elected to that office upon entering upon the duties of his office, shall file with the secretary of state his official signature, together with a certified impression of the seal of his court.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 8, 1901.

No. 175, S.] [Published March 9, 1901.

CHAPTER 32.

AN ACT to appropriate to the governor's contingent fund a sum of money named therein.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

$2,000 annually for two years. SECTION 1. There is hereby appropriated to the governor's contingent fund, out of any moneys in the state treasury not otherwise appropriated, the sum of two thousand dollars per annum for the years 1901 and 1902.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 8, 1901.

No. 30, S.] [Published March 9, 1901.

CHAPTER 33.

AN ACT to provide compensation for the officiating chaplains of the senate and assembly for the session of 1901.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Compensation per week. SECTION 1. There is hereby appropriated to each and every clergyman who has or may hereafter officiate as chaplain of the senate and assembly the sum of fifteen dollars for each week of such service during the session of the legislature for the year 1901. The payments shall be made upon the certificates of the chief clerks of the senate and assembly showing the amount to which each such chaplain is entitled.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 8, 1901.

No. 59, A.] [Published March 9, 1901.

CHAPTER 34.

AN ACT to amend chapter 181 of the Wisconsin statutes of 1898, relating to offenses against the lives and persons of individuals, and providing for the punishment of attempts to commit felonies.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Crime made a state prison offense. SECTION 1. Chapter 181, Wisconsin statutes of 1898, is hereby amended by inserting after section 4385 in said chapter, a new section to be known as section 4385a, which shall be and read as follows: Section 4385a. Any person who shall advise the commission of or attempt to commit any felony as defined in section 4637 of the Wisconsin statutes of 1898, that shall fail in being committed, the punishment for which such advice or attempt is not otherwise prescribed in these statutes, shall be imprisoned in the state prison not more than three years nor less than one year, or by fine not exceeding one thousand dollars, nor less than one hundred dollars.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 8, 1901.

No. 40, A.] [Published March 9, 1901.

CHAPTER 35.

AN ACT to amend section 2533b of the Wisconsin statutes of 1898, relating to drawing of juries in courts of record.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

What names to be put on list; number and limit of; entry upon record; Milwaukee county. SECTION 1. Section 2533b, of the Wisconsin statutes of 1898, relating to drawing juries in courts

of record, is hereby amended by adding after the word "court," in line seventeen in said section, the following: "but the circuit judge may, by order filed with such clerk, limit the number of such names to be so drawn to any number less than thirty-six, which number shall thereafter be so drawn until the further order of such judge," so that said section when so amended shall read as follows: Section 2533b. Such commissioners shall provide from time to time, as may be necessary, one list of names to be drawn from the body of the county to serve as jurors in each of the courts specified in the preceding section; and in making such lists shall put thereon only the names of such persons as they believe to be possessed of the qualifications prescribed in sections 2524 and 2530. The number of names to be placed on such lists shall be determined by the judges of said several courts from time to time by order filed in the office of the clerk of the circuit court. Such lists shall be furnished by said commissioners to the clerks of the respective courts, who shall write the names thereon on separate slips of paper, each in the same manner as near as may be, and fold each slip so that the name shall not be visible, and deposit said slips in a box containing but one compartment, in the presence of said commissioners, from which they shall be drawn in the following nanner, viz.: At least fifteen and not more than thirty days before the sitting of either such court at which a jury is required to attend, the clerk thereof shall, in the presence of said commissioners, proceed to draw the names of thirty-six jurors from said box to serve as petit jurors in said court; but the circuit judge may, by order filed with such clerk, limit the number of such names to be so drawn, to any number less than thirty-six, which number shall thereafter be so drawn until the further order of such judge; such names as they are drawn shall be entered upon a suitable record book to be kept by said clerk, and a list of the names so provided shall be kept by him, and a separate list thereof by at least one of the commissioners. No advertisement of the time and place of drawing need be given, but the clerk shall fix the date of drawing and give five days notice thereof to each commissioner. These provisions shall be applicable to any court of exclusive civil jurisdiction in a county containing a population of over one hundred and fifty thousand, which requires a jury, except that if such court shall be held by two judges, they may, by an order made and filed by them with the clerk of such court, require that the names of more than thirty-six persons be so drawn to serve as petit jurors therein. The names of any persons on said lists who have become disqualified to act as jurors may be supplied in the same manner.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 8, 1901.

No. 129, A.] Published March 9, 1901.

CHAPTER 36.

AN ACT to amend section 925—14 of the Wisconsin statutes of 1898, in relation to the election of aldermen, supervisors, and ward officers in newly created wards in cities of the first class.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Change of ward lines; inspectors and ballot clerks; special election. SECTION 1. Section 925—14 of the Wisconsin statutes of 1898 is hereby amended by adding to said section the following, viz.: Whenever the number of wards in any such city of the first class shall be changed in the maner aforesaid, and a new ward or wards created, such ward or wards shall have the same number of aldermen, supervisors, and ward officers as other wards in such city, and shall be in all respects subject to the provisions of the charter of such city. Any alderman or ward officer holding office and who resided in any such territory at the time it shall be declared a ward, shall continue in such office for the term for which he was elected and until his successor is elected and qualified, and shall be an officer of the ward so created. The inspectors of election and ballot clerks appointed for any such district shall continue to act in their several capacities when such district is constituted a ward, until removed or their successors are appointed. In all other cases where a new ward is so created or old wards consolidated, and the creation or consolidation shall cause vacancies in the offices to which any ward, by reason of the formation, is entitled the common council shall forthwith order in the manner provided by the charter of such city, a special election to fill all such vacancies as are by the charter of such city elective, provided that if any such ward is created within thirty days before any general or municipal election, such vacancies shall be filled thereat. All other vacancies shall be filled in the manner provided by the charter of such city.

The common council shall in ordering such election, fix the term for which the officers shall be elected.

Conflicting laws repealed. SECTION 2. All acts and parts of acts in conflict herewith, are hereby repealed.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved March 9, 1901.

No. 140, S.] [Published March 11, 1901.

CHAPTER 37.

AN ACT to provide for the appointment of a clerk by the district attorney in counties having a population of over two hundred and fifty thousand.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Salary of clerk. SECTION 1. The district attorney of every county having a population, as shown by the last census, of two hundred and fifty thousand or more, may appoint in addition to the assistants and stenographer, provided for by section 751a of the statutes of 1898, a clerk to assist him in the performance of the duties of his office; the salary of said clerk shall be six hundred dollars per annum, and shall be paid from the treasury of such county at the same time the salaries of other county officers are paid. The district attorney making such appointment shall notify the county board thereof, and thereafter such clerk shall enter upon his duties.

Section 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 8, 1901.

No. 109, A.] [Published March 11, 1901.

CHAPTER 38.

AN ACT prescribing the duty of notaries public.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Expiration of commission to be endorsed on acknowledgment. SECTION 1. All certificates of acknowledgments of deeds and other conveyances, or any written instrument required or authorized by law to be acknowledged before any notary public, within the state of Wisconsin, shall be attested by a clear impression of the official seal of said officer, and in addition thereto shall be written or stamped the day, month and year, when the commission of said notary public will expire.

Facts in certificate then, to be presumptive evidence. SECTION 2. The official certificate of any notary public, when attested and completed in the manner provided by section 1 of this act, shall be presumptive evidence in all cases, and in all courts of the state of Wisconsin, of the facts therein stated, in cases where by law a notary public is authorized to certify such facts.

Conflicting laws repealed. SECTION 3. All acts, or parts of acts, conflicting in any manner with the provisions of this act, are hereby repealed.

Secretary of state to notify notaries. SECTION 4. It shall be the duty of the secretary of state, within thirty days after the passage and publication of this act, to mail to each notary public in this state, a copy thereof.

Act effective, Aug. 1st, 1901. SECTION 5. This act shall take effect and be in force, on August 1, A. D. 1901, after its passage and publication.

Approved March 9, 1901.

No. 8, A.] [Published March 11, 1901.

CHAPTER 39.

AN ACT to limit and restrict actions involving the validity of, and proceedings by villages to incorporate under chapter 40, of the Wisconsin statutes.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Validity of incorporation may be tested by certiorari; action when to be brought, SECTION 1. In any case whether occurring heretofore or hereafter, where any village shall have attempted to incorporated under and pursuant to the provisions of chapter 40, of the Wisconsin statutes, and such village and its officers, shall have assumed thereafter in good faith to act under, and to exercise the powers conferred by, the provisions of law upon villages organized under said chapter 40, any question of the validity of such incorporation and proceedings therefor may be tested by certiorari, or by any other proper action or proceedings brought directly for the purpose of vacating or setting aside the same, at any time within three months after such incorporation, but not thereafter; provided that as to all such cases occurring prior to the taking effect of this act, such direct action and proceeding may be commenced within three months after the passage and publication of this act, but not thereafter. No such incorporation, nor any proceeding for such incorporation, shall be in any manner called in question, or held to be invalid in any action or proceeding, except one brought directly for that purpose, within the time hereinbefore limited therefor, unless the same shall have been duly vacated or set aside by a court of competent jurisdiction. The provisions of this act shall in no manner affect pending actions.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 8, 1901.

No. 110, S.] [Published March 11, 1901.

CHAPTER 40.

AN ACT to authorize district boards to borrow money.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Purposes for which loan may be made. SECTION 1. Any school district may, by vote, at any annual, or lawfully called special meeting, authorize the district board to borrow money for a period not exceeding six months, for the purpose of paying teachers' wages and usual school expenses, not exceeding the amount of district taxes voted for such purposes at such meeting, to be collected with the next levy.

Board to deliver order to lender; interest. SECTION 2. Any district board, after being so authorized, may borrow such money of any person for not exceeding six months, and deliver to the lender thereof an order on the district treasurer for the amount so borrowed, payable on or before six months after date thereof, and drawing interest from date thereof not exceeding seven per cent. per annum.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 9, 1901.

No. 49, S.] [Published March 11, 1901.

CHAPTER 41.

AN ACT to amend the negotiable instruments law of 1899.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

When foreign bill to be protested; drawer and endorser, when discharged; duty of notary. SECTION 1. Section 1681-9 of said law is hereby amended by adding at the end thereof the

provisions of section 176 of the statutes of 1898, repealed by chapter 356 of the laws of 1899, so that said section 1681–9 when so amended shall read as follows: Section 1681-9. Where a foreign bill appearing on its face to be such is dishonored by non-acceptance, it must be duly protested for non-acceptance, and where such a bill which has not previously been dishonored by non-acceptance is dishonored by non-payment, it must be duly protested for non-payment. If it is not so protested, the drawer and indorsers are discharged. Where a bill does not appear on its face to be a foreign bill, protest thereof in case of dishonor is unnecessary. Every notary public, when any bill of exchange or promissory note shall be by him protested for non-acceptance or non-payment, shall give notice thereof in writing to the drawer, maker and each indorser of such bill of exchange or promissory note; he shall also thereupon make a certificate under his hand and official seal, setting forth the presentment, demand, refusal and protest thereof for non-acceptance or non-payment, the contents of the notice given, and the time and manner of service thereof, specifying the postoffice and reputed place of residence of each person notified by mail; he shall also thereupon make and keep a record of such certificate and of the description of the instrument protested; and such certificate or such record, or a certified copy thereof, shall be presumptive evidence of the facts therein stated. The want of such certificate or record, or both, shall not invalidate any such protest or notice, but the same may be proved by any other competent evidence.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 9, 1901.

No. 139, S.] [Published March 11, 1901.

CHAPTER 42.

AN ACT to amend section 2001—16 of Wisconsin statutes 1898 relating to incorporation of churches.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Articles to be recorded in office of register of deeds. SECTION 1. Section 2001—16 of the revised statutes of 1898 is hereby amended by inserting after the word "and," in the sixth line of

said section, the following: "recorded in the office," so that said section when amended shall read as follows: Section 2001—16. Whenever any of said congregations have complied with the foregoing provisions, the articles of incorporation thereof shall be made out accordingly, be signed by the president and secretary in the presence of two witnesses, who shall sign their names thereto, and acknowledged before some notary public or other person authorized by law thereto and filed in the office of the secretary of state, and recorded in the office of the register of deeds in the county or counties where such corporation may own real estate.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 9, 1901.

No. 70, S.] [Published March 12, 1901.

CHAPTER 43.

AN ACT to amend sections 1379—13, 1379—18, 1379—19, 1379—21, 1379—24, 1379—31, of the revised statutes for 1898, relating to drainage districts.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Hearing when had; duty of court as to petition; deeds not made in good faith; findings; appointment of commissioners. SECTION 1. Section 1379—13 of the revised statutes of 1898 is hereby amended by adding after the word petitioners, in the twenty-sixth line of said section, the following: "and judgment shall be entered against said petitioners for the amount of said costs." So that said section when amended, shall read as follows: Section 1379—13. The circuit court in which such petition shall be filed may grant a hearing thereon at any general or special term, and adjourn the hearing from time to time or continue the case for want of sufficient notice or for other good cause. At the hearing on any such petition all parties through or upon whose lands any of the proposed work may be constructed or whose lands may be damaged or benefited thereby

may appear and contest the necessity or utility of such work or any part thereof, and the contestants and petitioners may offer any competent evidence in regard thereto. The court shall hear and determine whether or not the petition contains the signatures of a majority of the owners of lands within said proposed district who are of lawful age, and who represent one-third in area of the lands proposed to be affected by said work, or the signatures of the owners of more than one-half of such lands; and the affidavit of any three of more of the signers of said petition that they have examined it and are acquainted with the locality of said district and that said petition is so signed may be taken by the court as prima facie evidence of the facts therein stated; and the oath or affidavit of any person before such court, giving the age of such party, and his or her ownership of such lands, to be named therein by proper description, shall be sufficient evidence to the court of such facts; provided, that all deeds made for the purpose of establishing or defeating the prayer of said petition, and not made in good faith and for a valuable consideration shall be taken and held to be a fraud, and the holders thereof shall not be considered as the owners of the land described therein. If the court after hearing any and all competent evidence that may be offered for and against the said petition, shall find that the same has not been signed as herein required the said petition shall be dismissed at the cost of the petitioners; and judgment shall be entered against said petitioners for the amount of said costs; but if it shall appear that the petition has been so signed the court shall so find, and if it shall further appear that the proposed drain, ditch, levee or other work is necessary, or will be useful for the drainage of the lands proposed to be drained thereby, and the public health or welfare will be promoted by the construction thereof the court shall so find, and shall appoint three competent persons as commissioners to lay out and construct such proposed work. In case the land to be affected shall be situated in different counties not more than two of the commissioners shall be selected from any one of such counties. If the court shall find against the petitioners the petitions shall be dismissed and the petitioners shall pay the costs.

Filing of report; notice of hearing; publication; remonstrance; hearing; other issues; findings; district a body corporate; powers of commissioners; revision of confirmation. SECTION 2. Section 1379—18 of the revised statutes of 1898 is hereby amended by adding after the word "made" in line thirty-nine of said section the following: "If the finding be against the validity of the proceedings the same shall be dismissed at the cost of the petitioners," and by adding at the end of said section the following:

"The said order of confirmation may, at the same or any subsequent term of the said court, be revised, modified or changed, in whole or in part, on petition of the commissioners after such notice as the court may require to parties adversely interested. The court may also permit the commissioners to present and file a supplemental report as to any matters which, pursuant to the provisions of section 1379—15 might have been included in the original report presented by them, and after reasonable notice given to parties adversely interested in such manner as the court shall direct, the court may, upon the hearing in the matter, make such order as the case may require. So that said section, when so amended, shall read as follows: Section 1379—18. Upon the filing of such report the court shall make and enter an order fixing a time and place when and where all persons interested may appear and contest the confirmation thereof, and the clerk of said court shall cause notice of the time and place of such hearing to be given to all parties interested by the publication of a notice thereof and of the amount of benefits and damages assessed and awarded in said report, which notice shall contain a description of all lands affected, for at least three successive weeks prior to the day set for such hearing in one or more newspapers published in said county, and by serving a copy of such notice on each of the persons or corporations affected thereby who reside in any of the counties out of which the proposed district is formed at least twenty days before the day of hearing, in the same manner that a summons is required to be served by the provisions of sections 2636 and 2637 of the statutes of Wisconsin for 1898. Any owner of lands or any person or corporation affected by the work proposed may appear on the day set for hearing said report and remonstrate against the whole or any part of the proposed work. Such remonstrance shall be verified by affidavit, and shall set forth the objections of the affiant, whether they go to the jurisdiction of the commissioners or the court or not or whether they rest on any other fact, as that some lands are assessed too high or too low or improperly, or that lands are assessed which ought not to be, or that lands should be assessed which are not assessed, or that the plans for said proposed work should be changed, or that the boundaries of said district should be altered so as to include or exclude certain lands, or by any persons or corporation to whom damages are allowed that they are inadequate, or by any person or municipality that the public health or welfare will not be promoted by the proposed work. The circuit court for said county or the presiding judge thereof may fix a time at any term or appoint a special term for hearing the objections, and, on demand of any person or

corporation assessed for benefits or awarded damages, may frame an issue in said matter, impanel a jury and take its verdict upon the trial of such issue, whether the amount of damages awarded by the commissioners is adequate and whether the assessment of benefits to any remonstrant, demanding the review by a jury, is too high; and the jury may assess the same. All other issues arising on remonstrance shall be tried by the court if the court finds that the report requires modification the same may be referred to the commissioners who may be required to modify it in any respect. In any case between the commissioners and any remonstrant the court may award and apportion the costs; costs awarded against the commissioners shall be paid out of the funds realized from the assessment made. If the finding be against the validity of the proceedings the same shall be dismissed at the cost of the petitioners. If the finding be in favor of the validity of the proceedings the court, after the report shall have been modified to conform to the findings, or if there be no remonstrance, shall confirm the same, and the order of confirmation shall be final and conclusive, the proposed work shall be established and authorized and the proposed assessments approved, subject to the right of appeal to the supreme court. And upon the entering of such order of confiramtion of record said district is hereby declared to be organized as a drainage district by the name mentioned in said petition and with the boundaries fixed by the order confirming the report of said commissioners, to be a body corporate by said name, with the right to sue and be sued, to adopt and use a corporate seal, and to have perpetual succession; and the commissioners appointed as aforesaid and their successors in office shall, from the entry of such order of confirmation, constitute the corporate authorities of such drainage district, exercise the function conferred upon them by law, and do all things and perform all acts necessary to the construction and preservation of the proposed work; and all proceedings required prior to the entry of such order of confirmation shall be deemed and are hereby declared to be necessary to the formation of said body corporate. The said order of confirmation may, at the same or any subsequent term of the said court, be revised and modified or changed, in whole or in part, on petition of the commissioners after such notice as the court may require to parties adversely interested. The court may also permit the commissioners to present and file a supplemental report as to any matter which, pursuant to the provisions of section 1379—15 might have been included in the original report presented by them, and after reasonable notice given to parties adversely interested in such manner as the court may direct, the court may, upon the hearing in the matter, make such order as the case may require.

Judgment against petitioners; costs; hearing. SECTION 3. The said revised statutes of 1898 are further hereby amended by adding a new section after section 1379—18 to be designated as section 1379—18a, as follows: In case the petition or proceedings are dismissed as provided in sections 1379—16 or 1379—18, a judgment shall be entered against the petitioners and in favor of the commissioners for the costs, expenses and liabilities incurred in said proceedings, but for the benefit of those who have rendered services or advanced money in the prosecution of said proceedings, or have recovered costs or successful contests therein. Before any such judgment is entered, said commissioners shall file with the clerk of the circuit court in which said proceedings were instituted an itemized statement of such costs and expenses, duly verified, upon which an order may issue requiring said petitioners to show cause before said court, at a time and place named, why judgment should not be entered against said petitioners for the amount of said costs and expenses. Notice of the hearing of said order shall be given to said petitioners by mailing to each a copy thereof at least twenty days prior to the time set for hearing and by publication of the same in one or more newspapers published in the county, where the proceedings are pending, at least three successive weeks, prior to the day set for such hearing.

Assessments of benefits; for repairs, when due; preservation of work; unpaid assessments. SECTION 4. Section 1379—19 of the revised statutes of 1898 is hereby amended so as to read as follows: Section 1379—19. At the time of confirming such assessment it shall be competent for the court to order the assessment of benefits for the construction of new work to be paid in installments of such amounts and at such times as will be convenient for the accomplishment of the proposed work or for the payment of the principal and interest of such notes or bonds of said district as the court shall grant authority to issue for the construction of new work. The court may also by such order fix a date at which the first installment of the assessments for benefits shall become due, not more than ten years after the date of the order, and each of said installments shall draw interest from the date of said order. Unless otherwise provided by said order such assessments shall be payable immediately, and from the time of the entry of said order such assessments and the interest thereon shall be a lien upon the lands until paid. The amount of benefits for keeping any drain, ditch, levee or other work in repair under these provisions shall be due and payable on the first day of September annually. The commissioners having charge of any such com-

pleted drain, ditch, levee, or other work shall, on the first Tuesday in July in each year, file with the clerk of the court having jurisdiction a report in which they shall specify in detail the labor necessary to the preservation and protection of the work under their control and the amount of benefits to be assessed to each tract, lot, easement, servitude or corporation. No notice of the filing of such report shall be necessary. All such assessments shall be apportioned on the first assessment. Upon the filing of such annual report the court shall examine the same, fix and determine upon the amount of such benefits, and cause such adjudication to be entered of record in said court and a certified copy of the same to be delivered to said commissioners. The amount to be collected under the order of said court for the preservation and maintenance of any work as aforesaid shall not in the aggregate amount in any one year to a sum greater than would be produced by a levy of thirty cents per acre on the lands benefited. In all cases after assessments are confirmed by the court the commissioners shall within twenty days after such confirmation give notice of the entry of such order and of the time when and the place or places where the assessments must be paid by publication thereof for at least two successive weeks in one or more newspapers published in the county where the proceedings are pending. If assessments are not paid when due they shall certify the same to the clerk of the town in which the delinquent lands are situated as due and unpaid for such work, and such clerk shall enter the same in the tax list for such town next thereafter to be made against the lands benefited, and the same shall be collected in the manner that state, county and town taxes are collected, excepting only that the personal property of individuals shall not be liable to seizure and sale therefor.

Rate of interest on unpaid assessments. SECTION 5. Section 1379—21 of the revised statutes of 1898 is hereby amended so as to read as follows: Section 1379—21. If assessments of benefits for the construction of new work shall be payable in installments each installment shall draw interest at the rate of six per centum per annum from the date of the order fixing and confirming the assessments until paid, and in case said interest is not paid when due, its collection shall be enforced in the same manner as in case of an assessment as provided for in section 1379—19.

Deficiencies in assessments, how provided for. SECTION 6. Section 1379—24 of the revised statutes of 1898 is hereby amended so as to read as follows: Section 1379—24. If in

the first assessment the commissioners shall have reported to the court a smaller sum than is needed to complete the work of construction or repair, or if, in any year an additional sum is required to pay the interest on lawful indebtedness of the said drainage district, a further assessment on the lands benefited, proportioned on the first, shall be made under the order of the court or the presiding judge thereof without notice, to be collected in the same manner as the original assessment.

Drainage laws, how to be construed; defects in organization no bar to collection of assessments. SECTION 7. Section 1379—31 of the revised statutes of 1898 is hereby amended so as to read as follows: Section 1379—31. The provisions of section 1379—11 to section 1379—31 inclusive shall be liberally construed to promote the public health and welfare by reclaiming wet or overflowed lands, building embankments or levees and the preservation of any system of drainage heretofore constructed according to law. The collection of any assessments of benefits made by the commissioners and confirmed by the court shall not be restrained or obstructed by reason of any omission, imperfection or defect in the organization of any district or in any proceedings occurring prior to the order confirming the assessments of benefits, but such order shall be conclusive as to the regularity of all proceedings relating to the assessments of benefits unless appealed from within thirty days after the entry of such order, or within thirty days after this act shall take effect. Nothing in said sections shall be construed as repealing or modifying any general or private law relating to the drainage or reclamation of swamp, wet or overflowed lands or any law relating to the preservation of any work thereunder or as affecting any proceedings had or to be had thereunder. The provisions of 3187a of the revised statutes of 1898 are declared not to apply to proceedings regulating the organization and powers of drainage districts.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved March 11, 1901.

No. 71, S.] [Published March 12, 1901.

CHAPTER 44.

AN ACT relating to the cancellation of void tax deeds by county boards.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

County clerk to furnish certificate of cancellation; recording of. SECTION 1. A new section is hereby added to the statutes of 1898, to be known as section 1184a, as follows: Section 1184a. Whenever the county board shall order the cancellation of any tax deed, the county clerk shall furnish to the owner of the lands described in such deed, upon request therefor, a certificate in writing, executed under his hand and official seal, stating the fact of such cancellation, the date thereof, the description of the lands as to which such deed is cancelled, the date of such deed, the date of the sale upon which such deed is based and the reason for such cancellation. Such certificate may be recorded in the office of the register of deeds of the county where the lands therein described are located, and such record shall be prima facie evidence of the facts therein stated and of the cancellation of the tax deed therein mentioned as to the lands therein described.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 11, 1901.

No. 330, A.] [Published March 12, 1901.

CHAPTER 45.

AN ACT to authorize the commissioners of public lands to loan a portion of the trust funds of the state, to Portage county, and authorizing the county of Portage to borrow said funds.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Loan of not to exceed $80,000 authorized. SECTION 1. The commissioners of public lands are hereby authorized to loan a portion of the trust funds of this state, not exceeding eighty thousand dollars, to the county of Portage, state of Wisconsin; and the said county is hereby authorized to borrow of said commissioners the said amount, and to issue to said commissioners, certificates of the indebtedness so contracted. The said indebtedness shall bear interest at the rate of three and one-half per cent. per annum payable annually, and the said indebtedness shall be paid in eight equal annual payments; the first payment falling due on the first day of July of the next succeeding year after said indebtedness shall have been created.

Duty of secretary of state. SECTION 2. Each and every year, until the entire loan is repaid, the secretary of state shall, when he apportions the state tax among the several counties of the state, and certifies the same to the county clerk, add to the state tax which would be properly chargeable to the county of Portage, the annual interest due the state on such loan, together with the amount of the principal sum so loaned falling due on the first day of the following July. It shall be the duty of the county clerk of said county of Portage, on receiving a certified statement of the amount so due from the county of Portage, to include said amounts in his apportionment of the state taxes to said county, and the same shall be levied and collected out of the taxable property of said county, and paid over to the county treasurer of the county of Poratge, and by him to the state treasurer, in the same way and at the same time as other state taxes are collected and paid.

Limitations as to indebtedness of county during life of loan. SECTION 3. It is hereby provided that said county of Portage shall never, during the period for which said loan shall remain

unpaid, become indebted or contract debts for a greater amount, including debts heretofore contracted, as well as that herein authorized, than five per centum on the value of all taxable property in said county, to be ascertained by the last assessment for the state and county taxes previous to incurring the indebtedness authorized by this act.

County board to ratify provision of act. SECTION 4. Before contracting any indebtedness hereunder, and before any of said trust funds shall be delivered to the said county of Portage, in exchange for said certificates of indebtedness, the county board of said county, at a regular or special meeting, shall by resolutions accept the provisions of this act, and the terms and limitations herein provided, and shall file with the secretary of state, copies of said resolutions, certified by the clerk of said county. The certificates of indebtedness herein provided for shall be made payable to the commissioners of public lands, and shall be signed by the chairman of said county board, and countersigned by the county clerk of said county.

SECTION 5. This act shall take effect and be in force, from and after its passage and publication.

Approved March 9, 1901.

No. 142, S.] [Published March 12, 1901.

CHAPTER 46.

AN ACT relating to the sale of lands by executors, administrators and guardians and to amend section 3913 of the Wisconsin statutes of 1898.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Appraisal and sale, how made. SECTION 1. Section 3913 of the Wisconsin statutes of 1898 is hereby amended by striking out the words "not less than the appraised value" in the eleventh line of said section and inserting in lieu thereof the following words, to be approved by the court licensing said sale, so that said section as amended shall read as follows: Section 3913. The county court may, in its discretion, authorize an executor,

administrator or guardian to have the lands which he may be licensed by said court to sell appraised by three disinterested freeholders of the county in which the lands or some part thereof lie. Such appraisal shall be under oath, which oath and appraisal shall be certified in the usual form and filed in the court from which said license was issued. The executor, administrator or guardian so licensed shall offer the lands at public auction in the manner provided by law; and if at public auction no bid shall be made of a greater sum than the appraised value such executor, administrator or guardian may sell such lands at private sale at a price to be approved by the court licensing said sale, and if not sold within one year they may be sold at public auction.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 11, 1901.

No. 5, A.] [Published March 12, 1901.

CHAPTER 47.

AN ACT to amend section 1729a of chapter 83, of the Wisconsin statutes of 1898, relating to the assignment of written evidences of indebtedness from employer to employe for wages.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Wages, how paid; to whom law not applicable; written evidence of indebtedness negotiable. SECTION 1. Section 1729a, chapter 83, of the Wisconsin statutes of 1898, is hereby amended by striking out the word "assignable" where the same appears in the thirteenth line of said section and by inserting in lieu thereof the word "negotiable," so that said section when so amended shall read as follows: "Section 1729a. All wages or compensation for labor or service, unless there shall be a written contract to the contrary, shall be paid weekly or bi-weekly in cash; provided, that this section shall not apply to agricultural laborers, commercial travelers, persons employed on commission, traveling employes of railway or express companies, per-

sons employed in logging camps, or in driving, running or manufacturing logs or lumber, nor to any person whose occupation is such as to render him inaccessible on the regular pay day. Whenever any person engaged in lumbering or building or in the manufacture of lumber, shall defer the payment of all or any part of the wages due employes, after the same become due, such employer shall, on demand, give his employes written evidence of indebtedness for the amount so due them, which shall be payable at a date agreed upon and be negotiable. Any such employer who shall refuse to give such evidence of indebtedness for money earned, shall forfeit not more than fifty dollars."

Conflicting laws repealed. SECTION 2. All acts or parts of acts, in conflict with this act, are hereby repealed.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved March 9, 1901.

No. 55, S.] [Published March 12, 1901.

CHAPTER 48.

AN ACT relating to service by publication and amending section 2640 of the statutes of 1898.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Application for order, when made; what to contain; first publication. SECTION 1. Section 2640 of the statutes of 1898, is hereby amended by adding at the end of the first sentence thereof the words: "within ten days after the date of the affidavit herein required," so that said section when so amended shall read as follows: Section 2640. The order mentioned in the preceding section shall be made by the court or a judge thereof within ten days after the date of the affidavit herein required. The application therefor shall be based upon the complaint, duly verified and filed, and an affidavit, together showing the facts required to exist and that the plaintiff is unable, with due diligence, to make service of the summons upon the defendant in respect to whom such order is applied for, and also the

postoffice address of such defendant or that the plaintiff is unable, after due diligence, to ascertain it. The order shall direct that service of the summons be made by its publication in a newspaper to be designated as most likely to give notice to the defendant to be served, for such length of time as shall be deemed reasonable, not less than once a week for six weeks, and that on or before the day of the first publication, the plaintiff deposit, in a specified postoffice, a copy of the summons, together with a copy of the complaint, or of a notice of the object of the action as the case may require, securely enclosed in an envelope, the postage duly paid, addressed to the defendant at his postoffice, to be therein named, or a direction that such deposit may be omitted because the defendant's postoffice address cannot be ascertained; or that, at the plaintiff's option, a copy of the summons and a copy of the complaint or of the notice aforesaid be delivered to the defendant personally without the state; which, when done, shall have the same effect as a completed publication and mailing. The first publication must be made within three months from the date of such order, and service shall be deemed complete at the expiration of the full period prescribed by the order after the date of the first publication copies having been duly deposited in the postoffice when required.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 11, 1901.

No. 154, S.] [Published March 12, 1901.

CHAPTER 49.

AN ACT to amend sections 2515, 2516, 2517, 2518, 2521 and 2522 of the annotated statutes, relating to the municipal court for Dane county.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Jurisdiction of court; in criminal cases; review by supreme court. SECTION 1. Section 2515 of the annotated statutes is hereby amended by striking out of the same the words "except murder and except where the person accused

shall demand in writing, as hereinafter provided, to be tried in said circuit court," as they are found in the eighth and ninth lines of said section, and the words "except murder" as they appear in the seventeenth line of said section; and by inserting after the word "recognizance" in the twenty-second line of said section the following, "said municipal court shall also have jurisdiction over all actions brought for the breach of any recognizance returned to or given in said court. A transcript of any judgment rendered in such action in said county may be docketed in the office of the clerk of the circuit court for said county, and when so docketed shall then be a lien upon any real estate belonging to the judgment debtor named therein to the same force and effect as other judgments rendered and docketed in the said circuit court are such lien;" and by inserting after the word "appeal" where it appears in the twenty-fourth line of said section the words "and in actions on recognizances the amount of which exceeds two hundred dollars exclusive of costs" so that the said section as amended shall read as follows: The municipal court of the city of Madison and county of Dane, as heretofore established, is continued under the name of the municipal court for the county of Dane, shall be a court of record, and have a clerk and seal with suitable device, to be procured under the direction of the judge thereof, at the expense of the city of Madison. It has and may exercise powers and jurisdiction, equal and concurrent with the circuit court of Dane county, in all cases of crimes and misdemeanors arising in said county. Such jurisdiction includes the right to try and determine all appeals to such court in criminal cases, from justices of the peace in said county; but the party appealing may, at his option, appeal to said circuit court or said municipal court. No justice of the peace or court commissioner within said city shall exercise any jurisdiction in criminal or bastardy cases, but all such jurisdiction is vested in the judge of said court; and all examinations, recognizances and commitments from said judge, and the other justices of the peace of said county, in criminal cases, and in bastardy cases, shall be certified and returned to said municipal court instead of said circuit court at or before the time fixed for the appearance of the accused; and the accused and all witnesses required to attend shall be committed to be brought, or recognized to appear, before said municipal court on a day certain, not more than thirty days from the date of such commitment or recognizance. Said municipal court shall also have jurisdiction of all actions brought for the breach of any recognizance returned to or given in said court; a transcript of any judgment rendered

in such action in said county may be docketed in the office of the clerk of the circuit court for said county, and when so docketed shall then be a lien upon any real estate belonging to the judgment debtor named therein to the same force and effect as other judgments rendered and docketed in the said circuit court are such lien; the judgments of said municipal court, in criminal cases tried upon information or upon appeal and in actions on recognizance the amount of which exceeds two hundred dollars exclusive of costs, may be reviewed by the supreme court in the same manner as like judgments of the circuit court may be; and all judgments originally rendered by said court, or the judge thereof, in criminal cases of which justices of the peace have jurisdiction may be appealed to and tried by the circuit court in the same manner as like judgments rendered by justices of the peace.

Laws and rules applicable; change of venue; process; informations. SECTION 2. Section 2516 of the annotated statutes is hereby amended by striking out the words "in criminal cases" where they appear in the second and third lines thereof and "except murder" where they appear in the twenty-fifth line thereof and by incorporating therein, section 1 of chapter 366 of the laws of 1891, so that the said section when so amended shall read as follows: The general provisions of law which may at any time be in force relative to circuit courts, and actions and proceedings therein, shall relate also to said municipal court, unless inapplicable, and the rules of practice prescribed by the justices of the supreme court for circuit courts shall be in force in said municipal court, and its rules of practice and proceedings shall conform, as near as practicable, to the rules and practice of circuit courts; but the laws of the state relative to change of venue in criminal examinations and trials shall not apply to said court or the judge thereof. It has power and authority to issue all process necessary to carry into effect its jurisdiction, which process shall in substance be the same, when applicable, as used in circuit courts, or shall be as directed by the judge thereof. Process issued by said court, its judge or clerk, in criminal cases, may be executed in any part of the state by the officer to whom it is addressed. Any person charged upon information of a criminal offense, in the municipal court of Dane county may, at any time before a jury is drawn for the purpose of a trial in said court, obtain a change of venue to the circuit court of said Dane county, upon making affidavit, that he believes that he cannot obtain a fair and impartial trial, in said municipal court; and thereupon, the said municipal court shall commit or hold the party to bail, to appear at the next term of

said circuit court, as upon examination, and the judge, under the seal of said court, shall transmit all the papers, and a copy of the record of the proceedings in such cause properly certified to be such, to said circuit court, which shall then proceed to hear and determine the same, and all recognizances, previously given in such cases and returned to said municipal court, may be enforced by said circuit court as fully as if they had originally run, and been certified and returned thereto. All informations for criminal offenses, committed in said county of Dane, shall in the first instance, be filed in said municipal court by the district attorney of said county, at the next term at which the same may be triable, if terms are held, as hereinafter provided, and if not, then before the time fixed for the trial thereof. The sheriff of Dane county may execute all sentences and judgments of said court.

Powers of judge; appeals in civil actions; violations of city ordinances. SECTION 3. Section 2517 of the annotated statutes is hereby amended by inserting after the words "justices of the peace" where they appear in the ninth line thereof the words "and the clerk of said municipal court shall act as the clerk of said court when it is held as a justice court and when the judge thereof is sitting as an examining magistrate, and is hereby authorized and empowered to administer oaths and perform the other dutes of his position the same as when the said municipal court is sitting as a court of record," so that said section when so amended shall read as follows: The municipal judge, in addition to the powers vested in the municipal court as aforesaid, is vested with all the powers and jurisdiction of a justice of the peace in said county, in criminal actions and proceedings, and jurisdiction of all prosecutions for breach of any ordinance or by-law of the city of Madison, and also with all the powers and jurisdiction of justices of the peace in said county, in civil actions and proceedings, and also power to hear and determine any such case, although the title to land may come in question therein; and, to exercise such jurisdiction shall hold the municipal court as courts are held by justices of the peace, and the clerk of said municipal court shall act as the clerk of said court when it is held as a justice court and when the judge thereof is sitting as an examining magistrate, and is hereby authorized and empowered to administer oaths and perform the other duties of his position the same as when the said municipal court is sitting as a court of record. The general provisions of law relative to civil and criminal actions before justices of the peace shall apply to said court so far as applicable. Appeals from judgments rendered in said court, in civil actions except as

hereinbefore provided, may be taken to the circuit court for Dane county, in the same manner as appeals from judgments of justices of the peace in similar actions. Said judge shall open court each morning (Sundays and legal holidays excepted), and hear and dispose of, in a summary way, all cases for violation of the ordinances and by-laws of said city which shall be brought before him, by police officers or otherwise, either with or without process. Proceedings therein shall be in the forms heretofore used, except as modified by said judge, and the city attorney shall be the prosecuting officer therein. All the provisions in the charter and ordinances of the city of Madison relating to the police justice or to criminal prosecutions not inconsistent or contradictory thereto shall be held applicable to said municipal court.

Election and term of judge; vacancies; absence or disability of judge; reporter. SECTION 4. Section 2518 of the annotated statutes is hereby amended by adding thereto at the end thereof the words "and actions for the forfeiture of recognizance over which a justice has no jurisdiction. And the clerk shall make a like record of his proceedings and such justice of the peace shall receive for his services five dollars per day to be paid by said county; provided, however, that any and all sums in excess of one hundred dollars to be paid to any such justice or justices as aforesaid in any one year shall be paid by the said municipal judge. The municipal judge shall not voluntarily absent himself from the duties of his office more than four weeks in any one year except from sickness. Any circuit judge may hold court on the trial of an indictment or information in case of the absence, sickness or other disability or upon request of the judge of said municipal court, and while so doing shall have the same power as if elected judge of said court. The said judge of said municipal court may from time to time employ a phonographic reporter for said court who shall take and subscribe the oath of office prescribed in the constitution and shall be furnished with all necessary stationery and shall attend when required by said judge and report the proceedings had in such court and perform such duties as said judge shall require. Said judge shall fix the compensation of such reporter not to exceed five dollars for each day and two dollars and a half for each half of attendance and ten cents per folio for such transcripts from shorthand notes as may be ordered by said judge" so that said section when so amended shall read as follows: The qualified electors of the county of Dane shall, on the first Tuesday of April, one thousand eight hundred and eighty, and on the same day of the same month each six years thereafter, elect a suitable person to the

office of judge of said municipal court, to be called "municipal judge," who shall hold his office for the term of six years from the first Monday in January next succeeding his election, and until his successor is elected and qualified, and who may be removed from office in the manner provided in the constitution for the removal of supreme and circuit judges. Whenever a vacancy shall happen in the office of such judge, the governor shall appoint to fill the same until a successor is elected. Elections to fill the vacancy, for the residue of the term only, shall be held as provided in section eighty-eight for other judges, and notice thereof shall be given by the sheriff of Dane county, in the same manner as for elections of county officers. All such elections shall be held and conducted, and the votes cast thereat shall be returned and canvassed, and a certificate shall be given in all respects as is provided by law in case of the election of county judges. Said judge, before entering upon the duties of his office, shall take and subscribe the oath of office prescribed in the constitution, which shall be filed in the office of the clerk of the city of Madison, and a duplicate oath in the office of the clerk of the circuit court of the county of Dane. In case of the absence, sickness or temporary disability of said judge, he may, by order in writing to be filed in said court, appoint a justice of the peace of said county, to discharge the duties of such judge during such absence, sickness or disability, who shall have all the powers of such judge while administering such office, except the trial of informations or appeals, and actions for the forfeiture of recognizances over which a justice court has no jurisdiction. And the clerk shall make a like record of his proceedings. Such justice of the peace shall receive for his services five dollars per day to be paid by said county; provided, however, that any and all sums in excess of one hundred dollars to be paid to any such justice or justices as aforesaid in any one year shall be paid by the said municipal judge. The municipal judge shall not voluntarily absent himself from the duties of his office more than four weeks in any one year except from sickness. Any circuit judge may hold court on the trial of an indictment or information in case of the absence, sickness or other disability or upon request of the judge of said municipal court, and while so doing shall have the same power as if elected judge of said court. The said judge of said municipal court may from time to time employ a phonographic reporter for said court who shall take and subscribe the oath of office prescribed in the constitution and shall be furnished with all necessary stationery and shall attend when required by said judge and report the proceedings had in such court and perform such duties as said judge shall require. Said

judge shall fix the compensation of such reporter not to exceed five dollars for each day and two dollars and a half for each half day of attendance and ten cents per folio for such transcripts from shorthand notes as may be ordered by said judge.

Judge may order terms; jury how drawn; challenges. SECTION 5. Section 2521 of the annotated statutes is hereby amended by striking out the words "senior aldermen and supervisors, twelve names: each party may alternately, beginning with the prosecution, object to a name drawn, not more than six in all on each side; and as soon as any name is objected to, the clerk shall draw another; the twelve remaining after such objections are made or waived shall be summoned as jurors in such cases," where they appear in the sixteenth to the twentieth line inclusive of said section and by inserting in lieu thereof the following "jury commissioners not less than twenty names, which names shall be the names of the jurors who shall then be summoned by the sheriff of said county upon the trial; the same procedure as to examination and challenge of jurymen shall be followed as in circuit court in similar cases and the first twelve jurymen upon such list remaining after such challenges are exercised or waived shall sit as jurors in such case," so that said section when so amended shall read as follows: Said judge may, if he deem it best, by order in writing filed in court, direct terms to be held for the trial of offenses on which information may be filed, and of appeals from justices of the peace in criminal cases and actions for the forfeiture of recognizances over which a justice court has no jurisdiction not exceeding four in any one year. When such terms are ordered, the clerk of said court in the presence of the judge at least three days before such term shall draw, from the list of persons selected as hereinafter provided, to serve as jurors therein, thirty-six jurors for such term, and shall issue a venire to summon them as such. If no such terms are ordered, the court shall fix a particular day for the trial of the cases mentioned in this section, not more than twenty days after the day fixed in the recognizance or commitment for the appearance of the accused, or after the filing of the return on appeals; and a jury shall be drawn in open court, in presence of the defendant and prosecuting officer, at least two days before the day fixed for trial, in the following manner: The clerk shall draw, in presence of the court, from a box containing the names of all the persons so furnished by the jury commissioners not less than twenty names, which names shall be the names of the jurors who shall then be summoned by the sheriff of said county upon the trial; the same procedure as to examination and challenges of jurymen shall be followed as in circuit court in similar cases

and the first twelve jurymen upon such list remaining after such challenges are exercised or waived shall sit as jurors in such case. In civil actions before such judge, the eighteen names from whom the jury shall be struck, shall be drawn from such list in like manner. The day for trial may be adjourned from time to time, in the discretion of the court. If any person thus drawn cannot be summoned, or be excused, or be set aside as incompetent, another name may be drawn from said list to supply his place, who shall be summoned in like manner, or the judge may direct the issue of a venire to said sheriff to summon the necessary jurors to complete the panel from said county at large.

Duty of jury commissioners as to court; jury trial, how waived; fees. SECTION 6. Section 2522 of the annotated statutes is hereby amended by striking out the first sentence of said section and inserting instead thereof the following: "the jury commissioners appointed by the circuit judge for Dane county shall at the meeting for drawing the jury for the April term of each year for the circuit court for Dane county furnish to the clerk of said municipal court a list containing such number of names as the municipal judge shall direct of persons of like qualifications as prescribed for jurors of the circuit court in the same manner that the names are furnished for the drawing of the jurors for the said circuit court" and by striking out the words "the fees of jurors shall be one dollar per day in criminal cases and in civil cases the same as are allowed by law in courts of justice of the peace" in the eighth and ninth and tenth lines of said section and inserting in place thereof as follows: "the fees of jurors in cases otherwise triable by justice of the peace shall be one dollar per day and in all other cases the same as are allowed in the circuit court" so that said section when so amended shall read as follows: The jury commissioners appointed by the circuit judge for Dane county shall at the meeting for drawing the jury for the April term of each year for the circuit court for Dane county furnish to the clerk of said municipal court a list containing such number of names as the municipal judge shall direct of persons of like qualifications as prescribed for jurors of the circuit court in the same manner that the names are furnished for the drawing of the jurors for the said circuit court. A jury trial in said court may be waived by the accused in writing or by consent in open court entered in the minutes. Upon trial of information or appeals from justices of the peace in criminal cases, the jury shall consist of twelve jurors. The fees of jurors in cases otherwise triable by

justices of the peace shall be one dollar per day and in all other cases the same as are allowed in the circuit court. The fees of said judge, witnesses, sheriff and other officers, shall be the same in criminal cases not cognizable before a justice as in circuit courts and in cases so cognizable the same as in courts held by a justice of the peace, except as hereinafter provided, and shall be paid in like manner as in circuit and justices' courts respectively.

Conflicting laws repealed. SECTION 7. All acts and parts of acts inconsistent with this act are hereby repealed.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved March 12, 1901.

No. 158, S.] [Published March 14, 1901.

CHAPTER 50.

AN ACT to amend section 1379—11 of the statutes of 1898, relating to drainage districts.

The people of the state of Wisconsin, represented in senate and assembly do enact as follows:

Drainage districts in one or more towns; petition and amendments to. SECTION 1. Section 1379—11 of the statutes of 1898 is hereby amended by inserting the word "general" after the word "a" and before the word "description" in the fifteenth line of said section, and by adding at the end of said section, the following: "No petition having the requisite number of signers required by this section shall be declared void; but the court may permit the petition to be amended at any time to substantially conform to the requirements of these provisions." So that said section, when so amended, shall read as follows: Section 1379—11. Drainage districts comprising lands located in one or more towns may be organized and established in the manner hereinafter provided. Whenever a majority of the owners of lands within a district proposed to be organized, who shall have arrived at lawful age and shall represent one-third in area of the lands to be reclaimed or benefited, or whenever the adult owners of more than one-half of such lands desire to construct a drain,

ditch, levee or other work across the lands of others for the promotion of the public health or welfare, or to maintain and keep in repair any such drain, ditch or levee heretofore constructed under any law of this state, such owners may file in the circuit court of any county in which the lands, or if they lie in more than one county, in that in which the greater part of the lands to be affected by said drain, ditch, levee or other work proposed to be constructed, maintained or repaired shall lie, a petition signed by them setting forth the proposed name of said drainage district, the necessity of the same, with a general description of its proposed starting point, route and terminus, and a general description of the lands proposed to be affected, with the names of the owners when known; and if the purpose of said petitioners is the repair and maintenance of a ditch, levee or other work heretofore constructed under any law of this state said petition shall give a general description of the same, with such particulars as may be deemed important and may apply for the organization of a drainage district by the name and with the boundaries proposed, and for the appointment of commissioners for the execution of such proposed work according to the provisions of this and the following sections; provided, that the lands embraced in such drainage district shall be liable for any and all damages resulting to lands, lying outside of its boundaries because of the proposed work and that the organization of such district shall in no manner interfere with any other drainage district above or below it; and if through the construction of any proposed ditch, drain, or levee increased cost shall be entailed upon a lower district in providing means to carry off the water flowing from the higher district, the lands in the higher district shall be liable for such cost. No petition having the requisite number of signers required by this section shall be declared void; but the court may permit the petition to be amended at any time to substantially conform to the requirements of these provisions.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 13, 1901.

No. 32, S.] [Published March 19, 1901.

CHAPTER 51.

AN ACT to amend section 1480a of the Wisconsin statutes of 1898 relating to commissioners of weeds.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Appointment, duties of; in towns; in cities. SECTION 1. Section 1480a of chapter 61 of the Wisconsin statutes of 1898 is hereby amended by adding thereto the following: "This section shall not apply to cities of the first class, but in such cities the ward superintendents shall perform the duties of commissioners of weeds," so that said section when so amended shall read as follows: "Section 1480a. The chairman of each town board, the president of each village board and the mayor of each city, shall appoint some competent person or persons as commissioner or commissioners of noxious weeds therein; such person shall take an oath to faithfully perform the duties imposed upon him, which oath shall be filed in the office of the town clerk, and shall hold his office for one year and until his successor has qualified unless he is sooner removed for good cause by the officer who appointed him, in which case his successor shall be appointed for the unexpired portion of the term; provided, that the presiding officer at each annual town meeting shall put to the qualified voters present at such meeting the following proposition for their decision, to-wit: "Shall the superintendent or superintendents of highways be ex-officio commissioners of noxious weeds in their respective districts?" If answered by the majority of the voters present in the affirmative the chairman of such town shall appoint such superintendent or superintendents as commissioners of noxious weeds, and no others; but if such question shall not receive a majority of such votes the chairman shall appoint a commissioner as hereinbefore provided. If more than one commissioner is appointed under the first method the town, city or village shall be divided into districts by the officer making the appointment, and each person appointed shall be assigned to one such district; and if there are two or more superintendents of highways in any town which shall vote to make such officers the commissioners of noxious weeds each shall be such within his highway districts, and shall perform the same duties, be subject to the same liabilities and entitled to the same compensation,

rights and privileges as commissoners in other towns. This section shall not apply to cities of the first class, but in such cities the ward superintendents shall perform the duties of commissioners of weeds."

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 16, 1901.

No. 155, S.] [Published March 19, 1901.

CHAPTER 52.

AN ACT to regulate the matter of fixing the compensation of county superintendents in counties containing two superintendent districts, and amendatory of section 461d of the statutes of 1898.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Limit to expenditure; more than one superintendent. SECTION 1. Section 461d of the statutes of 1898 is hereby amended so as to read as follows: The county board shall allow the county superintendent such sum over and above his salary as he shall certify he has actually expended in traveling expenses in the discharge of his official duties, not exceeding two hundred dollars in any one year; and such expenses shall be audited and allowed by the county board at its annual meeting in November. In a county where there is more than one superintendent district the vote of the members of the board representing each such district shall be taken separately. Any sum of money so voted and allowed to any such superintendent shall be charged and assessed against and upon the district for whose superintendent the same is appropriated.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 16, 1901.

No. 22, S.] [Published March 19, 1901.

CHAPTER 53.

AN ACT to amend the statutes of 1898 relating to the protection of fish and game, as amended by chapter 311 laws of 1899.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Fishing through ice; lakes affected. SECTION 1. Section 5 of chapter 311, laws of 1899, is hereby amended by inserting in the tenth line, after the word "river" the words "and the lakes of Waukesha county except (Pewaukee Lake)." So that said section when so amended shall read as follows: Section 5. Section 4560g of the statutes of 1898 is hereby amended to read as follows: Section 4560g. Any person who shall fish through the ice on any of the inland waters of this state with more than five lines to each person, and with more than one hook to any line, or who shall construct upon the ice of said waters, except Sturgeon bay, Geneva lake in Walworth county, and Winnebago lake, and the Mississippi river, and the lakes of Waukesha county except (Pewaukee lake), any building or enclosure of any nature whatsoever which shall conceal the person of the occupant while engaged in fishing through the ice, or who shall occupy any building or enclosure while engaged in so fishing, shall be punished by a fine of not less than twenty dollars nor more than fifty dollars, or by imprisonment in the county jail not more than thirty days.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 16, 1901.

No. 430, A.] [Published March 21, 1901.

CHAPTER 54.

AN ACT to detach certain territory from the town of Howe in Oconto county, and to create the town of Breed.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Town of Breed defined. SECTION 1. All that portion of the town of Howe, in Oconto county, comprised in township number thirty north, range seventeen east, is hereby set off and detached from the said town of Howe and is hereby created and constituted a separate town to be known and designated as the town of Breed in said Oconto county.

Apportionment of assets and liabilities. SECTION 2. The assets and liabilities of the said existing town of Howe to be apportioned to the said towns of Howe and Breed shall bear the same ratio to the whole of said assets and liabilities of said existing town of Howe as the assessed valuation for the year 1900 of the taxable property of the above described detached territory from the existing town of Howe respectively bears to that of the assessed valuation for the year 1900 of the whole of the taxable property of said existing town of Howe as shown by the assessment rolls for the year 1900.

First meeting, when held. SECTION 3. The first town meeting of the town of Breed shall be held in the Breed school house located on section number twenty-two, in said township number thirty north, range seventeen east, on the first Tuesday of April, A. D., 1901.

Election of town officers; judicial election. SECTION 4. The qualified electors of said town of Breed shall at such town meeting in the manner provided by law elect town officers for the said town, and for the purpose of such election the qualified electors shall between the hours of nine and eleven o'clock in the forenoon of said day choose three of their number to act as inspectors of the election, and such inspectors shall before entering on their respective duties severally take the usual oath of office and file the same with their returns; and such inspectors shall respectively canvass and return the votes cast at such election in all respects as provided by law for inspectors at annual town meetings. And the qualified electors so assembled at the respective

places aforesaid may vote for judicial officers to be chosen on the same day and the votes cast for such judicial officers, whether for justice of the supreme court, judge of the circuit court or county judge, or all of them, shall be counted, canvassed and returned in the same manner and shall have the same effect as if said town were fully organized.

When town deemed organized. SECTION 5. When such election shall have been held as herein provided and the town officers required by law elected the said town of Breed shall be deemed and shall be duly organized and shall possess all the rights, powers, privileges and liabilities of other towns in this state.

Apportionment of indebtedness and road money. SECTION 6. On the 15th day of April, A. D., 1901, the town boards of the towns of Howe and Breed shall meet together in the town hall in the town of Howe and determine what portion of the legal indebtedness of the existing town of Howe shall be chargeable to the town of Breed and to the town of Howe, and shall also determine what portion of assets and credits of the existing town of Howe, together with such road moneys as shall be payable to said town, shall be due the towns of Howe and Breed respectively.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved March 19, 1901.

No. 259, A.] [Published March 21, 1901.

CHAPTER 55.

AN ACT to authorize Emil Thomas, his associates, heirs and assigns, to erect and maintain a dam across Prairie river in section twelve, township thirty-two north, of range seven east, in the county of Lincoln.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Location of dam; height of; sluice-way; logs not to be detained. SECTION 1. Emil Thomas, his associates, heirs and assigns, are hereby authorized and empowered to erect and maintain a dam across Prairie river on any lands owned or controlled by them in

section twelve, township thirty-two north, of range seven east, at such point on their said lands as they shall select, for manufacturing and other purposes, and to erect and maintain such piers and booms in connection therewith, as may be necessary or convenient for holding, storing, assorting and handling logs to be manufactured at or near said dam; provided, that said dam, when erected, shall not exceed six feet in height above the low water mark, and shall be so constructed as not to obstruct the running of timber or logs down said river, and that said dam shall be furnished with a suitable slide or chute, which shall be placed in the main channel of the river, and so located and constructed as to allow logs passing over the same to pass freely down the river, away from said slide or chute, and the same shall be kept open at all times when there are logs or timber to run over said dam, and logs destined for points below on said river shall not be detained longer than may be necessarv to separate from the general drive of logs such as may be intended for manufacture at or near said dam, and no charge shall be made for separating said logs or for the use of said slide and chute for passing logs over said dam; provided further that said dam shall be so constructed by the building, erecting and maintaining of a fishway, sluice-way or other contrivance as to freely permit fish to pass through the same.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 19, 1901.

No. 72, A.] [Published March 21, 1901.

CHAPTER 56.

AN ACT to amend section 1520 of Wisconsin statutes of 1898, relating to county superintendents of poor.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Poor superintendents, how elected; vacancy; trustees of county asylum, when to act as. SECTION 1. Section 1520 of the Wisconsin statutes of 1898, is hereby amended by striking out the

words "by the county board in like manner" where they occur in the sixth and seventh lines of said section and inserting in place thereof the words "by the chairman of the county board, which appointment shall hold until the next annual meeting of the county board," so that said section 1520 shall read as follows to-wit: Section 1520. Whenever the distinction between county poor and town poor shall have been so abolished in any county, the county board may elect by ballot three county superintendents of the poor who shall hold their offices for such term, not less than one nor more than three years, as said board may determine, subject to removal by said board at any meeting thereof and all vacancies shall be filled by the chairman of the county board, which appointment shall hold until the next annual meeting of the county board; but when a vacancy happens before the expiration of the term, it shall be filled for the residue of the term only; or any such county board may provide for the support and maintenance of such poor without the election of superintendents in such manner as they shall direct. In any county which maintains both a poor house and a county asylum for the chronic insane, the trustees of the latter shall be ex-officio superintendents of the poor, unless the county board shall at an annual meeting order otherwise; but the board of any such county may appoint a superintendent or superintendents of the poor solely to have charge of such poor persons as need relief outside the poorhouse.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 19, 1901.

No. 52, A.] [Published March 21, 1901.

CHAPTER 57.

AN ACT to amend section 706 of the Wisconsin statutes of 1898, as amended by chapter 155 of the laws of 1899, relating to the appointment of assistants and employees and the number thereof, by the county clerk and providing for their compensation.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Appointment of deputy clerk; duties and powers of; in counties of 150,000. SECTION 1. Section 706 of the Wisconsin statutes of 1898, as amended by chapter 155 of the laws of 1899, is hereby amended by striking out the words "by and with the consent of the board of supervisors, who shall fix their salaries, appoint three assistants in his office," in the eighteenth, nineteenth, twentieth and twenty-first lines of said section as amended, and inserting in lieu thereof the words "appoint five assistants in his office," also by striking out the word "and" in the twenty-second line of said section as amended; also, by striking out the word "who" in the twenty-second line of said section as amended, and inserting in lieu thereof the words "license clerk and copying clerk; said assistants shall receive a salary to be fixed by the board of supervisors and," so that said section when so amended, shall read as follows: Section 706. Every such clerk shall appoint a deputy in writing under his hand, and shall file such appointment in his office; and such deputy clerk shall aid in the performance of the duties of such clerk under his direction, and in case of his absence or disability or of a vacancy in his office, shall perform all the duties of such clerk during such absence or until such vacancy shall be filled; and every such clerk and his sureties shall be liable upon his official bond for the acts of his deputy; and the county board may in its discretion at its annual meeting or at any special meeting, provide a salary for such deputy clerk which shall be paid at the same time and in the same manner as county officers. In counties having a population exceeding one hundred and fifty thousand according to the last state or national census, such clerk may also appoint five assistants in his office who shall be known as chief clerk, assistant, stenographer, license clerk and copying clerk; said assistants shall receive a salary to be fixed by the board of supervisors, and

shall be paid as other county officers and employees are paid; and such clerk and his sureties shall be liable upon his bond for the acts of said chief clerk, assistant, stenographer, license clerk and copying clerk so appointed.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 19, 1901.

No. 394, S.] [Published March 20, 1901.

CHAPTER 58.

AN ACT to provide for special elections to fill vacancies in certain offices in cities of the first class, and limiting the term of appointees to such offices.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

No appointment to be made prior to a judicial election. SECTION 1. No appointment to fill a vacancy in an elective office in any city of the first class operating either under a general law or special charter, which appointment shall be made prior to any special election for municipal officers or prior to any judicial election shall be valid beyond the date of holding such special or such judicial election, and such office shall be deemed vacant after the date of either such election and shall be filled in the manner hereinafter provided.

Vacancy, how filled. SECTION 2. In case of any vacancy in any elective office in any such city as is described in section 1 hereof, or in case of any appointment to fill an elective office in any such city, such vacancy shall be filled and election shall be held for any such office whether the same shall have been filled by appointment or not, at a special election to be held therefor at the time of the first special election for municipal officers or at the time of the first judicial election held in any such city after such vacancy shall occur or appoinment be made; and the person or persons so elected to fill any such vacancy shall hold their respective offices until the next general municipal election.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 20, 1901.

No. 408, A.] [Published March 21, 1901.

CHAPTER 59.

AN ACT to repeal chapter 352 of the laws of 1897, entitled, "An act to create a municipal court for the county of Kewaunee."

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Disposition of pending business. SECTION 1. Chapter 352 of the laws of 1897, entitled, "An act to create a municipal court for the county of Kewaunee," is hereby repealed. All proceedings pending in said municipal court at the time of the taking effect of this act, shall be continued and completed in the circuit court of Kewaunee county, and all judgments, orders and decrees of the said municipal court shall be enforced by the process of the said circuit court in the same manner as if said judgment had been originally the judgment of said circuit court.

Records to be delivered to circuit court. SECTION 2. Immediately after this act takes effect, the municipal judge of said county shall deliver to the clerk of the circuit court of Kewaunee county, Wisconsin, all the books, records, papers and files in his possession belonging to the municipal court of said Kewaunee county.

SECTION 3. This act shall take effect and be in force, from and after the first day of May 1901.

Approved March 21, 1901.

No. 225, A.] [Published March 22, 1901.

CHAPTER 60.

AN ACT to provide for the election of constables in cities of the second, third and fourth classes amending section 925, sub-sections 23 and 25 of the Wisconsin statutes of 1898.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Officers of cities; power of council to dispense with certain. SECTION 1. Section 925, sub-section 23, of the Wisconsin statutes of 1898 is hereby amended by inserting after the words "justices of the peace" where those words occur in the third line of said sub-section, the words "one or more constables," so that said sub-section when amended shall read as follows: Officers of other cities. Section 925—23. The officers of cities of the second, third and fourth classes shall be a mayor, treasurer, clerk, comptroller, attorney, assessor or one or more assessors, two or more justices of the peace, one or more constables as the common council may determine by ordinance, a physician, street commissioner, chief of the fire department, a board of public works, a board of school commissioners, one or more policemen, two aldermen and one supervisor from each ward, and such other officers or boards as the common council may deem necessary; provided, that the council, by a two-thirds vote, may dispense with the offices of street commissioner, engineer, comptroller and board of public works, and provided that the duties thereof be performed by other officers or boards, by the council or a committee thereof.

Officers, how chosen; in fourth class cities. SECTION 2. Section 2. Section 925, sub-section 25 is hereby amended by inserting after the words "justices of the peace" where those words occur in the second line of said sub-section, the words "one or more constables," so that said sub-section when amended shall read as follows: Officers how chosen. Section 925—25. The mayor, treasurer, comptroller, assessor or assessors, aldermen, justices of the peace, one or more constables and supervisors shall be elected by the people. The other officers may be appointed by the mayor or elected by the council, as shall be determined by ordinance; provided that in case any such officer, except policeman, shall be appointed by the mayor, such appointment shall be subject to confirmation by the council. In

cities of the fourth class the clerk and any and all other officers, in addition to those herein before specified, may be elected by the electors at the same time and in the same manner as other officers are elected, upon a petition asking therefor being filed in the office of the city clerk fifteen days prior to any regular municipal election, signed by a majority of the electors of such city who voted at the last general election then next preceding, as appears from the poll list. And it shall be the duty of the council and the proper officers of any city of the fourth class, to give notice of, call for and order the election at the next election and thereafter at each succeeding election, the officer or officers whose title of office is specified in such petition. Such petition may include one or more or all the officers of such city, and the notice of and the order for the election shall follow and include the officer or officers named in the petition, and upon like petition, signed by a majority of the electors asking therefor, any common council, by ordinance duly passed, may provide for the appointment by the mayor, with the concurrence of the council, of any officers of such city excepting the offices of mayor, alderman, assessor, treasurer, supervisor or justice of the peace.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved March 21, 1901.

No. 360, A.] [Published March 22, 1901.

CHAPTER 61.

AN ACT to amend chapter 41 of the statutes of 1898, by adding two new sections to be numbered 930a and 930b, relating to polling places in cities of the fourth class.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Voting booths at city hall for all wards; notice of. SECTION 1. Chapter 41 of the Wisconsin statutes of 1898 is hereby amended by inserting in said chapter immediately after section 930, two new sections which shall be known and read as follows: Section 930a. The common council of every city of the fourth class may provide at the city hall of such city, separate rooms

with separate outside entrances thereto, upon which shall be conspicuously marked the respective numbers of the wards for which the same are intended to be used and designate the same as polling places respectively for the respective wards of such city and all elections in and for each of the wards of such city for which polling places are so designated in the city hall shall be held at the places so designated. Section 930b. Polling places in a city hall as provided in the preceding section, may be designated by the common council no later than ten days before any election at which such rooms are to be used as such polling places.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 21, 1901.

No. 16, S.] [Published March 22, 1901.

CHAPTER 62.

AN ACT to amend chapter 90, laws of 1899, relating to Wisconsin national guard.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Disposition of moneys received from United States. SECTION 1. Amend by adding after the word "guard" in the last line of section 1, the following: "or improvements for the Wisconsin state military reservation at Camp Douglas, Juneau county, Wisconsin," so that said section, when so amended, shall read as follows: Section 1. All moneys hereafter received by the state of Wisconsin from the United States in payment of the claim of the state of Wisconsin against the United States for quartermaster's stores and supplies, ordnance and ordnance stores and supplies, and for equipment of whatever character, furnished by the state of Wisconsin for the use of the Wisconsin volunteers in the service of the United States in the year 1898, during the Spanish-American war, shall be and are hereby set aside and constituted a special and separate fund to be used, at the discretion of the governor, only in the

re-equipment of the Wisconsin national guard or improvements for the Wisconsin state military reservation at Camp Douglas, Juneau county, Wisconsin.

How audited. SECTION 2. Disbursements from said fund shall only be made for the purposes designated in this act and payments shall be made only on vouchers audited by the quartermaster general and approved by the governor.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 21, 1901.

No. 124, A.] [Published March 22, 1901.

CHAPTER 63.

AN ACT giving counties charged with the expense of maintaining inmates in the home for feeble-minded, remedies to recover the sums so charged, out of the estates of such inmates respectively, or from individuals.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Same remedies for collection as in case of insane. SECTION 1. Any county which is lawfully charged with the expense, or any part thereof, of maintaining an inmate in the Wisconsin home for feeble-minded, shall have all remedies to collect the sums so charged, out of the estate of such inmate, or from individuals, which are conferred by law upon counties so to collect charges against them for the maintenance in state hospitals and county asylums for the insane, of patients whose maintenance therein is chargeable to such counties respectively.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 21. 1901.

No. 274, A.] [Published March 22, 1901.

CHAPTER 64.

AN ACT to amend chapter 129 of the laws of Wisconsin for the year 1897 entitled, "An act to confer and impose criminal jurisdiction upon the county court of La Crosse county."

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Salary of county judge. SECTION 1. Section 9 of chapter 129 of the laws of Wisconsin for the year 1897 is hereby amended so as to read as follows: Section 9. The said county judge shall be paid as compensation for the performance of the duties herein imposed upon him, and for clerical assistance, an annual salary of one thousand dollars, which shall be in addition to the compensation to which he is entitled under the general statutes of the state, and to the salary fixed by the county board for the performance of the regular and usual duties of county judge; said sum shall be paid to him by the county treasurer as other salaries of county officers are paid.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 21, 1901.

No. 160, A.] [Published March 22, 1901.

CHAPTER 65.

AN ACT to provide when any insane person committed direct to a county insane asylum shall be a charge against the state.

The people of the state of Wisconsin represented in senate and assemblu do enact as follows:

Insane person when to become a charge. SECTION 1. Whenever the county judge of any county in this state shall commit any insane person direct to any county insane asylum, said com-

mitment shall not be a charge against the state until five days after copies of the commitment papers required by section 585c of the Wisconsin statutes of 1898 shall have been filed with the board of control.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 21, 1901.

No. 213, A.] [Published March 22, 1901.

CHAPTER 66.

AN ACT to detach certain territory from the town of Wood Lake, Burnett county, and to create the town of La Follette.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Town of Wood Lake defined. SECTION 1. All that certain territory now embraced in the town of Wood Lake, Burnett county, state of Wisconsin, described as follows, to-wit: The east half of township thirty-nine north, of range fifteen west, and township thirty-eight north, of range fifteen west, and the east half of township thirty-eight north, of range sixteen west, is hereby set off and detached from the said town of Wood Lake in said county, and is hereby created and constituted a separate town to be known and designated as the town of La Follette, in said Burnett county.

Apportionment of assets and liabilities; when and how made. SECTION 2. The assets and liabilities of the said town of Wood Lake to be apportioned to the said towns of Wood Lake and La Follette, shall bear the same ratio to the whole of said assets and liabilities of said town of Wood Lake, as the assessed valuation for the year 1900 of the taxable property of the above described detached territory from the town of Wood Lake, respectively bears to that of the assessed valuation for the year 1900, of the whole of the taxable property of said town of Wood Lake, as shown by the assessment rolls for the said year 1900. On the fifteenth day of April A. D. 1901, the town boards of the town of Wood Lake and of the town of La Follette shall meet together at the town hall of the town of Wood Lake and determine what portion of the indebtedness legally incurred by the old town of

Wood Lake, shall be chargeable to the town of Wood Lake and to the town of La Follette, and shall also determine what portion of the credits of the old town of Wood Lake, each of the towns of Wood Lake and La Follette shall be entitled to.

Date and place of first meeting; judicial election. SECTION 3. The qualified electors of the said town of La Follette shall meet at the O'Leary school house in school district number five, situated in township number thirty-eight north, of range number fifteen west, of the fourth principal meridian in the state of Wisconsin, on the first Tuesday of April A. D. 1901, and at such town meeting in the manner provided by law, elect town officers for the said town of La Follette. For the purposes of such town election, the qualified voters in said town shall, between the hours of nine and eleven o'clock in the forenoon of said day, choose three of their number to act as inspectors, and two ballot clerks of the election, and such inspectors and ballot clerks shall, before entering upon their respective duties, severally take the usual oath of office and file the same with their returns; and such inspectors shall respectively canvass and return the votes cast at such election in all respects as provided by law for inspectors at annual town meetings. And the qualified electors so assembled at the place aforesaid may vote for judicial officers to be chosen on the same day, and the votes cast for such judicial officers, whether for justices of the supreme court, judge of the circuit court or county judge, or all of them, shall be counted, canvassed and returned in the same manner and shall have the same effect, as if the said town of La Follette was fully and completely organized.

When town deemed organized. SECTION 4. When such election shall have been held as herein provided and the town officers of the town of La Follette have qualified as required by law, the said town of La Follette shall be deemed, and shall be, duly organized and shall possess all rights, powers, privileges and liabilities of other towns in this state.

Powers of county board not abridged. SECTION 5. Nothing in this act shall be so construed as to abridge any of the powers of the county board of Burnett county to set off, organize, vacate or change the boundaries of said towns at any time hereafter in accordance with the powers conferred by law upon county boards.

SECTION 6. This act shall take effect and be in force, from and after its passage and publication.

Approved March 21, 1901.

No. 264, A.] [Published March 23, 1901.

CHAPTER 67.

AN ACT to change the boundaries of the towns of Crandon and Cavour in Forest county, state of Wisconsin, and to create from the territory of the towns of Crandon and Cavour in Forest county, the towns of North Crandon, Wabeno and Caswell..

The people of the state of Wisconsin represetned in senate and assembly do enact as follows:

Town of Crandon defined. SECTION 1. All that certain territory now embraced in the town of Crandon, Forest county, state of Wisconsin described as follows to-wit:—Townships forty, forty- one and forty-two north, of range twelve east; townships thirty-seven, thirty-eight, thirty-nine, forty, forty-one and forty-two north, of range thirteen east, is hereby set off and detached from the said town of Crandon in said county and is hereby created and constituted a separate town to be known and designated as the town of North Crandon in said Forest county.

Town of Caswell defined. SECTION 2. All that certain territory now embraced within the boundaries of the town of Crandon in Forest county to-wit: Townships thirty-eight, thirty-nine, forty and forty-one north, of range fourteen east, and all of that certain territory now embraced within the boundaries of the town of Cavour, in said county of Forest to-wit: Township thirty-seven north, of range fourteen east, township thirty-seven north, of range fifteen east, and townships thirty-five, thirty-six and thirty-seven north, of range sixteen east, is hereby set off and detached from the said towns of Crandon and Cavour in said county of Forest and is hereby created and constituted a separate town to be known and designated as the town of Caswell in said Forest county.

Territory in town of Cavour detached. SECTION 3. All that certain territory within the boundaries of and embraced in the town of Cavour, in Forest county, Wisconsin, to-wit: Township thirty-four north, of range thirteen east, is hereby set off and detached from the town of Cavour and is hereby attached to and made a part of the town of Crandon in said Forest county, Wisconsin.

Town of Wabeno defined. SECTION 4. The name of that certain town in Forest county known as Cavour, is hereby and shall be change to Wabeno, and all of the territory remaining by virtue of this act in the said town of Cavour to-wit: townships thirty-four, thirty-five and thirty-six of range fourteen east; townships thirty-four, thirty-five and thirty-six of range fifteen east, and township thirty-four of range sixteen east, is hereby and shall be known and designated as the town of Wabeno.

Apportionment of assets and liabilities of towns of North Crandon and Caswell. SECTION 5. The assets and liabilities of the said town of Crandon to be apportioned to the said towns of North Crandon and Caswell shall bear the same ratio to the whole of said assets and liabilities of said town of Crandon, as the assessed valuation for the year 1900 of the taxable property of the above described detached territory from the town of Crandon respectively bears to that of the assessed valuation for the year 1900 of the whole of the taxable property of said town of Crandon as shown by the assessment rolls for the said year 1900.

Apportionment of assets and liabilities of towns of Wabeno, Caswell and Crandon. SECTION 6. The assets and liabilities of the town of Cavour (hereby changed to the town of Wabeno) to be apportioned to the said towns of Caswell and Crandon, shall bear the same ratio to the whole of said assets and liabilities of said town of Cavour (hereby changed to the town of Wabeno) as the assessed valuation for the year 1900 of the taxable property of the above described detached territory from the town of Cavour (hereby changed to the town of Wabeno) respectively bears to that of the assessed valuation for the year 1900 of the whole of the taxable property of said town of Cavour (hereby changed to the town of Wabeno) as shown by the assessment rolls for the said year 1900.

Electors, where to meet; town officers; judicial election. SECTION. 7. The qualified electors of the town of North Crandon shall meet at the town hall in the village of North Crandon, located on section twenty-eight, town thirty-seven north, of range thirteen east, in said town of North Crandon on the day appointed by law for the holding of annual town meetings and the election of town officers in this state. The qualified electors of the town of Caswell shall meet in the frame building west of P. Shay's store at the station of Armstrong Creek, located on section thirty-six in township thirty-seven north, range sixteen east, in said town of Caswell, on the day appointed by law for the holding of annual town meetings and the election of town officers in this state. The qualified electors of the town of Crandon

shall meet at the Modern Woodmen hall in the village of Crandon, located on section twenty-nine in township thirty-six north, of range thirteen east, in said town of Crandon, on the day appointed by law for the holding of annual meetings and the election of town officers in this state. The town hall of said town of Crandon being by virtue of this act now located within the boundaries of the new town of North Crandon. The qualified electors of the town of Wabeno shall meet at the town hall in the village of Wabeno, located in township thirty-four north, of range fifteen east, in said town of Wabeno, on the day appointed by law for the holding of annual town meetings and the election of town officers in this state. The qualified electors of said towns respectively shall at such town meeting in the manner provided by law, elect town officers for the said respective towns and for the purposes of such town election, the qualified voters in each of said towns respectively shall between the hours of nine and eleven o'clock in the forenoon of said day, choose three of their number to act as inspectors of the election, and such inspectors shall before entering on their respective duties severally take and file the usual oath of office and file the same with their returns, and such inspectors shall respectively canvass and return the votes cast at such election in all respects as provided by law for inspectors at annual town meetings. And the qualified electors so assembled at the respective places aforesaid, may vote for judicial officers to be chosen on the same day and the votes cast for such judicial officers whether for justices of the supreme court, judge of the circuit court or county judge or all of them, shall be counted, canvassed and returned in the same manner and shall have the same effect as if the said towns of North Crandon, Caswell and Wabeno were fully and completely organized.

When towns deemed organized. SECTION 8. When such election shall have been held as herein provided and the town officers of the respective towns required by law elected, and such officers respectively have qualified as required by law, the said towns of North Crandon, Caswell and Wabeno shall be deemed and shall be duly organized and shall possess all the rights, powers, privileges and liabilities of other towns in this state.

Powers of county board not abridged. SECTION 9. Nothing in any of the provisions of this act shall be so construed as to abridge any of the powers of the county board of supervisors of Forest county, to set off, organize, vacate or change the boundaries of any of the towns created by or mentioned in this act, at any time hereafter in accordance with the powers conferred by law upon county boards by virtue of the laws of the state of Wisconsin.

Conflicting laws repealed. SECTION 10. Any and all acts or parts of acts in any manner conflicting with the provisions of this act, are hereby repealed.

SECTION 11. This act shall take effect and be in force, from and after its passage and publication.

Approved March 22, 1901.

No. 57, S.] [Published March 26, 1901.

CHAPTER 68.

AN ACT relating to cities and providing for notice to claimants.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Clerk to serve notice of action or non-action, on claimant; to non-resident. SECTION 1. Whenever any city council shall have disallowed any claim or permitted the same to be disallowed, wholly or partly, by its failure to act thereon within the time limited by law, the clerk shall prepare a notice of the action or non-action of the council upon such claim, and deliver the same, with the necessary copy thereof, to a police officer, for service on the claimant, if he reside within such city. Any police officer to whom such notice and copy shall be delivered, shall serve the same without fees on the claimant named in the notice in the manner provided for service of summons issued by a justice of the peace, and make his return thereof to the clerk. If the claimant be a non-resident the clerk shall transmit such notice by registered letter through the mail. Any time limited for appeal by the claimant from the determination of his claim by the council, shall begin to run when such notice is served, or when such registered letter is received. A bond or undertaking shall not be required in the case of an appeal by municipal corporation.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 23, 1901.

No. 112, S.] [Published March 26, 1901.

CHAPTER 69.

AN ACT relating to mutual insurance companies in cities and villages, and amending section 1941-5 of the statutes of 1898.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Jurisdiction of company to do business. SECTION 1. Section 1941-5 of the statutes of 1898 is hereby amended to read as follows: Section 1941-5. Such corporations may insure property in the county in which their home office is located and in all adjoining counties, and may also, in addition thereto, insure property in contiguous counties, but in no case shall such counties exceed eight in number, and in no case shall the amount insured exceed two thousand dollars on any one risk, nor shall it insure any property other than dwellings, barns, stables, sheds, and their contents, except as provided in the constitution or by-laws of the corporation.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 23, 1901.

No. 197, S.] [Published March 26, 1901.

CHAPTER 70.

AN ACT to amend chapter 218 laws of 1899 entitled "an act to establish a district court in the county of Milwaukee, Wisconsin.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Jurisdiction of court. SECTION 1. Section 5 of chapter 218 laws of 1899 is hereby amended so as to read as follows: "Section 5. Said district court shall have exclusive jurisdiction to try and sentence all offenders against the ordinances of said city

of Milwaukee, and it shall also have exclusive jurisdiction to hear, try and determine all charges for misdemeanors arising within said county otherwise triable before a justice of the peace and in addition thereto said district court shall also have jurisdiction to hear, try and determine all charges for offenses arising within said county of Milwaukee, the punishment whereof does not exceed one year's imprisonment in the state prison or county jail or a fine not exceeding five hundred dollars or by both such fine and imprisonment; said court shall also have authority and jurisdiction to issue warrants for the apprehension of persons charged with the commission of offenses in said county of Milwaukee and not triable before a justice of the peace or said court and exclusive jurisdiction to examine said alleged offenders and commit or hold them to bail, the same as a justice of the peace might otherwise do. Said district court shall in no event have or exercise jurisdiction in bastardy proceedings. Nothing herein contained shall be construed to deprive any city or village justices in any incorporated city or village in Milwaukee county, except only the city of Milwaukee, of jurisdiction to hear, try and determine complaints for the violation of any ordinance of any such city or village."

In case of improvident warrant, court to dismiss proceedings. SECTION 2. Section 7 of chapter 218 laws of 1899 is hereby amended by adding at the end thereof the following: "If upon the return of any such warrant and the hearing of such evidence as the complainant shall produce it shall appear to said district court that said warrant was improvidently issued or that there was no probable cause therefor said court may make an order dismissing the same and discharging the accused and may also determine that the officer issuing said warrant or executing the same shall receive no fees therefor and after such determination no fees shall be allowed or paid to any such officer for any such service. In all cases of a determination by said court disallowing fees the clerk of said court shall certify such fact to the county clerk before the next meeting of the county board thereafter."

Conflicting acts superceded. SECTION 3. All acts or parts of acts conflicting with this act are hereby superceded.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved March 23, 1901.

No. 136, S.] [Published March 26, 1901.

CHAPTER 71.

AN ACT to provide against charging to counties the special assessment certificates issued by cities to contractors in payment upon contracts, and for the enforcement thereof.

The people of the state of Wisconsin represented in senate and and assembly do enact as follows:

Owner to file unpaid certificate with clerk or comptroller; amount to be included in tax roll. SECTION 1. In all cities of this state having power to issue to contractors, or others, in payment upon any contract, special assessment certificates against any lands, and whose charters contain no provision authorizing said city to enforce such special assessment certificates by separate sale of the lands affected thereby under the authority of said city, the owner and holder of such certificate may, in case the same is not paid, at any time within three years from the date of said certificate, file the same with the comptroller in cities of the first class and with the city clerk in all other cities, and when so filed, the comptroller's statement of special assessments to be placed in the next tax roll shall include an amount sufficient to pay such certificates with interest thereon at the legal rate from the date of such certificate to the time when the city treasurer is required to make return of delinquent taxes; or in case the same is filed with the city clerk, and in either case, the city clerk shall, before the delivery of the tax roll to the city treasurer, insert a like amount for such certificate in a separate column on said tax roll opposite the land described in and affected by said certificate. And thereafter the same proceedings shall be had as in case of other taxes, except that all moneys collected by the city treasurer thereon shall be delivered to the owner of said certificate.

When treasurer cannot collect, proceedings. SECTION 2. In case the treasurer is unable to collect the amount of such special assessment certificate he shall, at the time of the return of other delinquent taxes and as part of that return and in a separate column, return as delinquent to the county treasurer such tax for such certificate with a description of the lands upon which the same is assessed, and this tax so returned delinquent shall not be charged to the county nor credited to the city, but the county

treasurer shall proceed as in other cases of delinquent taxes to advertise and sell the said lands by separate sale for the non-payment of such certificate and in case there is no other bidder shall bid in the same in the name of the county in all respects as in other tax sales and under the provisions of law relating to the sales of lands by county treasurers for non-payment of taxes. The lien of such special assessment and of the certificates of sale therefor issued by the county treasurer shall be subordinate to the lien of the general taxes on the same property.

Redemption of delinquent tax, how made. SECTION 3. Redemption from such special assessment tax and tax sale may be made by payment of the amount with the like interest and charges within the same time and in the same manner that redemption may be made from general taxes and tax sales after delinquent return. Upon such redemption the amount collected, exclusive of collection fees and charges shall be paid to the owner of the special assessment certificate or his assigns upon demand. If redemption be not made the certificate of such sale shall be assigned to the owner of the special assessment certificate or his assigns upon payment of the fees and charges included therein, in the manner that other tax certificates may be assigned. Thereafter and at and within the time limited by law in the case of tax certificates of sale, for other taxes the owner and holder of such tax certificate of sale may apply to the county clerk, and have issued to him upon said tax certificate of sale a tax deed of the land therein described, under the same conditions and with the same force and effect as provided by law in the case of other tax certificates of sale.

Effect of issue of tax certificate. SECTION 4. After the expiration of nine months from the date of said tax certificate of sale, the same shall be conclusive evidence of the regularity and legality of all proceedings up to and inclusive of the issue thereof; and the owner of such assessment certificate or such tax certificate of sale issued thereon, may transfer the same by endorsement and delivery and the same shall continue a lien upon the land affected thereby in favor of the owner of such assessment certificate or the tax certificate of sale issued thereon, from the time said lien attaches as provided in the city charter, up to and until the issue of a deed upon such tax certificate of sale, and the owner and holder of such assessment certificate or tax certificate of sale issued thereon may have, and enforce any and all other remedies given by law for the collection of the same, or for the collection of other tax cer-

tificates of sale in this state, except that he shall have no right to recover from the city or county issuing the same.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved March 23, 1901.

No. 389, S.] [Published March 26, 1901.

CHAPTER 72.

AN ACT relating to loans from the trust funds.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Date when interest and principal become due. SECTION 1. The annual interest and installments of principal of all loans granted hereafter from the trust funds of the state to counties, towns, villages, cities or boards of education and school districts, shall be payable on the first day of February of each year after the granting of such loans.

Conflicting laws repealed. SECTION 2. All acts and parts of acts and provisions of law conflicting with the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 23, 1901.

No. 195, S.] [Published March 26, 1901.

CHAPTER 73.

AN ACT to submit to the people an amendment to article XI of the constitution of the state of Wisconsin, giving the legislature power to pass a general banking law.

Preamble. Whereas, At the biennial session of the legislature of the state of Wisconsin for the year 1899, a joint resolution was passed proposing an amendment to article XI of the constitution of the state of Wisconsin, giving the legislature power to pass a general banking law, which was agreed to by a majority of the members elected to each of the two houses, and approved April twentieth, 1899, which proposed amendment was in the following language:

Granting legislature power to pass general banking law. "Resolved by the assembly, the senate concurring, That article XI of the constitution of the state of Wisconsin be and is hereby amended, by substituting for sections four and five thereof, a new section to be known as section four and reading as follows: Section 4. The legislature shall have power to enact a general banking law for the creation of banks, and for the regulation and supervision of the banking business, provided that the vote of two-thirds of all the members elected to each house, to be taken by yeas and nays, be in favor of the passage of such law."

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

When to be submitted to people. SECTION 1. The foregoing proposed amendment to the constitution of the state of Wisconsin shall be submitted to a vote of the people of this state in the manner now provided by law for the submission of proposed amendments at the next general election in November, 1902.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 23, 1901.

No. 119, A.] [Published March 27, 1901.

CHAPTER 74.

AN ACT to amend section 943 of the Wisconsin statutes of 1898, relating to the issue of bonds by towns, cities and villages.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Submission to people; no bonds payable after twenty years; tax for payment; notice of election; form of ballot. SECTION 1. Section 943 of the Wisconsin statutes of 1898 is hereby amended, so [as] to read as follows: Section 943. No bonds shall in any case be issued by any town, village or city until the proposition for their issue for the special purpose thereof shall have been submitted to the people of such municipality and adopted by a majority voting thereon; or, if to be issued to aid the construction of a railroad, until the proposition for the issue thereof, shall have been accepted in one of the modes provided therefor in this chapter; nor shall any such bonds be issued payable after a period of twenty years, nor be issued until an ordinance or resolution shall have been lawfully passed directing that there shall be annually levied a tax in addition to all other taxes, sufficient to pay, when due, the interest annually to grow due on such bonds, and also to pay and discharge the principal thereof by the time the same shall be due; and every such tax shall be after the issue of such bonds, irrepealable and be annually levied and collected on all the taxable property on the assessment roll of such municipality, and the money raised thereby shall be kept as a separate fund, irrevocably pledged to such purpose, and shall not be employed in any other. Unless it is otherwise provided by law, no town, city or village shall issue any bonds, except to aid the construction of a railroad, unless upon compliance with the following conditions: Whenever a town or village board or common council shall declare its purpose to raise money by issuing bonds, it shall direct, by resolution, which shall be recorded at length in the record of its proceedings, the town, city or village clerk to call a special election for the purpose of submitting the question of bonding the town, city or village, to the electors thereof. The notice of such election, shall recite the purpose thereof, state the amount of the bonds it is proposed to issue, the time and place of holding the election and the hours at which

the polls will be opened and closed. Such notice shall be signed by the town, city or village clerk, and be published in one or more newspapers in the town, city or village for three successive weeks prior to the election; if no newspaper be published therein, such notice shall be posted in four of the most public places in the town, city or village, at least twenty days prior to the election. Such election shall be held at the usual place or places of holding elections, unless the board or council shall, in the resolution hereinbefore provided for, designate some other place or places. The election shall be conducted by the officers who are required to conduct the regular town, city or village election and in a similar manner as near as may be, and the polls shall be open between such hours as are now designated respectively for such elections, and the result thereof shall be determined by them, and returned to the town, city or village clerk, who shall record the same in full, and also the notice of election given by him. The ballots shall be provided by the respective town, city or village clerk, and shall be substantially in the following form:

For Bonds.

☐

Against bonds.

☐

Mark a X in the square under the one you wish to vote for.

They may have the endorsements provided by law for ballots for general election and shall be marked by the voter and counted in a similar manner: Provided no such ballot shall be counted on the question of issuing bonds unless a mark is made thereon applicable to it. And provided further that when any such special election is held at the same time as a regular town, city or village election, then such form of ballot, instead of being separate may be printed upon the official ballot to be voted at such election. If a majority of the ballots cast shall be in favor of the issuing of bonds, the chairman and clerk of the town, the mayor and clerk of the city, or the president and clerk of the village, as the case may be, subject to the direction of the board or council, may issue bonds to the amount stated in the call, and sell or hypothecate the same for the purpose of raising money for the object stated in the notice of the election; but no bond shall be issued if a majority of the ballots cast shall be against the issue of the bonds.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 23, 1901.

No. 123, A.] [Published March 27, 1901.

CHAPTER 75.

AN ACT to amend section 4733 of the Wisconsin statutes of 1898, so that it shall provide that the time during which any escaped prisoner shall be unlawfully absent from the prison shall not be computed as a part of the term for which he was sentenced.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Sentence, when to commence; conviction for more than one offense. SECTION 1. Section 4733 of the Wisconsin statutes of 1898, is hereby amended by adding thereto the following: "and provided further that when any convict confined in said prison shall escape therefrom, the time during which he unlawfully remains absent from the prison after such escape, shall not be computed as any part of the term for which such prisoner was sentenced to be confined in the prison;" said section as so amended will read as follows: Section 4733. The sentence of any convict to imprisonment in the state prison shall be for a certain term of time, to commence at twelve o'clock, noon, on the day of such sentence, but any time which may elapse after such sentence, while such convict is confined in the county jail or is at large on bail, or while his case is pending in the supreme court upon writ of error or otherwise, shall not be computed as any part of the term of such sentence; provided that when any person is convicted of more than one offense at the same time the court may impose as many sentences of imprisonment as the defendant has been convicted of offenses, each term of imprisonment to commence at the expiration of that first imposed, whether that be shortened by good conduct or not; and provided further that when any convict confined in said prison shall escape therefrom, the time during which he unlawfully remains absent from the prison after such escape shall not be

computed as any part of the term for which such prisoner was sentenced to be confined in the prison.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 23, 1901.

No. 63, A.] [Published March 27, 1901.

CHAPTER 76.

AN ACT to amend subdivision 1 of section 3935, of the Wisconsin statutes of 1898, relating to allowance to widows.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Allowance to be made whether widow waives or accepts provisions of will. SECTION 1. Subdivision 1 of section 3935 of the Wisconsin statutes of 1898, is hereby amended so as to read as follows: Allowance to Widows. 1. The widow, if any, shall be allowed all her articles of apparel and ornaments, also all wearing apparel, family pictures and ornaments of the deceased, except such as may have been specifically bequeathed by the deceased, also the household furniture of the deceased, not exceeding in value two hundred fifty dollars, also all provisions and fuel on hand provided for family use, also other personal property to be selected by her, not exceeding in value two hundred dollars. This allowance shall be made whether the widow waives or accepts the provisions made for her in the will of her husband or when no provision is made for her, as well as when he dies intestate.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 23, 1901.

No. 120, A.] [Published March 27, 1901.

CHAPTER 77.

AN ACT to amend chapter 327 laws of 1899, entitled "An act to amend section 587c of the Wisconsin statutes of 1898, relating to the insane."

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Parole of inmate; return of; when authority of superintendent over ends; effect of section. SECTION 1. Chapter 327 laws of 1899, is hereby amended by inserting in the ninth line of said section, between the words "been" and "granted," the following words "or shall hereafter be" so that when so amended, said section 587c of the Wisconsin statutes of 1898 shall read as follows: Section 587c. The superintendents of the state and northern hospitals for the insane and the Milwaukee county hospital for the insane may permit any inmate in his hospital to go at large on parole, if in his opinion it is safe and proper to do so. Whenever within two years after granting such parole it becomes unsafe or improper to allow such persons to remain longer at large, the superintendent shall require his return to the hospital, unless before such requirement is made such person shall have been adjudged sane by competent authority. The provisions of section 587 authorizing a further judicial inquiry as to the mental condition of any person confined upon commitment as insane, shall extend to all persons who have been so confined and who are at large upon parole. Upon the expiration of two years from the time of granting such parole, the authority of the superintendent to require the return to the hospital of the person paroled shall end, and the presumption of insanity against such person because of the original adjudication, that he was insane shall cease, and until a new adjudication to the contrary, he shall be presumed sane the same as though his sanity had been established by a judicial determination. The provisions of this section as to the return to the hospital of paroled inmates and as to the effect of a continued absence of two years therefrom on parole, shall apply to all inmates thereof now at large on paroles granted before as well as after the passage of this act, and also to all inmates of county asylums who have heretofore been or shall hereafter be granted leave of absence from such an asylum pursuant to law and are

now absent therefrom pursuant to such leave. No inmate of either hospital committed by any court pursuant to section 4700 of these statutes shall be permitted to go at large until it shall have been lawfully determined that his insanity is incurable.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 23, 1901.

No. 332, A.] [Published March 27, 1901.

CHAPTER 78.

AN ACT to amend subdivision 1 of section 846 of the Wisconsin statutes of 1898, relating to the filing of bonds of justices of the peace.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

When bond to be filed; form of bond; when and where filed. SECTION 1. Subdivision 1 of section 846 is hereby amended so as to read as follows: Subdivision 1. Every justice of the peace, elected for a full term, shall on or before the first Monday of May, next succeeding his election, and every justice elected or appointed to fill a vacancy, shall within ten days thereafter, or after notice thereof, if required to be given, take and subscribe the oath of office prescribed in section 809, before a competent officer, and file the same with the clerk of the circuit court; and shall also, within the same time, execute and file with said clerk, a bond with two or more sufficient sureties, to be approved by the chairman or any two of the supervisors, substantially in the following form, namely:

A. B., chosen a justice of the peace in the town of ——, and C. D. and E. F., as his sureties, do hereby jointly and severally bind themselves and agree to pay on demand, to the said town and to each and every person who may be entitled thereto, all such sums of money as the said justice may become liable to pay on account of money which may come into his hands by virtue of his office.

Dated this —— day of ——, 19—.

A. B.
C. D.
E. F.

Executed in the presence of and sureties approved by
L. M., Chairman,
or
A. } Supervisors.
B. }

Duty of clerk of court. The clerk of the circuit court shall within ten days after the filing with him of said oath and bond, execute and mail to the clerk of the town, city or village, wherein such justice of the peace was elected, a certified copy of said bond, which certified copy shall be filed by said town, city or village clerk, and preserved in his office, and the same shall be presumptive evidence of its execution by such justice and his sureties.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 23, 1901.

No. 67, A.] [Published March 27, 1901.

CHAPTER 79.

AN ACT adding to the duties of the secretary of the State Board of Agriculture.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

To collect farm and weather statistics and deseminate same. SECTION 1. The secretary of the Wisconsin state board of agriculture, is hereby authorized to collect from the several counties of this state, information concerning the extent, condition and prices, of farm crops; the number, conditions of health and value of farm animals, prevailing conditions of weather, and such other information as he may deem of practical value to the agricultural interests of the state, and to publish monthly statements of such reports, for free distribution among the farmers and other interested parties of the state.

Printing of monthly reports. SECTION 2. The commissioners of public printing shall in connection with the printing now

done for the state board of agriculture, supply such secretary with the necessary blanks for such work, and cause to be published in pamphlet form, the reports issued by him; provided, that no more than five thousand copies of any single report shall be so published.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved March 23, 1901.

No. 266, A.] [Published March 26. 1901.

CHAPTER 80.

AN ACT to amend section 4588 of the Wisconsin statutes of 1898, relating to indecent exposure of person.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Penalty. SECTION 1. Section 4588 of the Wisconsin statutes of 1898, is hereby amended so as to read as follows: Indecent exposure. Section 4588. Any person who shall publicly expose his or her person, in an obscene or indecent manner shall be guilty of a misdeameanor, and upon conviction thereof shall be punished by imprisonment in the county jail, not more than six months nor less than ten days, or by a fine not exceeding one hundred dollars, nor less than one dollar, or both such fine and imprisonment in the discretion of the court; provided, however, nothing herein contained shall be held to remit any penalty for offenses heretofore committed.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 23, 1901.

No. 293, A.] [Published March 26, 1901.

CHAPTER 81.

AN ACT to amend section 1928 of the Wisconsin statutes of 1898 relating to mutual fire insurance companies.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Directors, how chosen; votes by proxy; increase of board. SECTION 1. Section 1928 of the Wisconsin statutes of 1898, is hereby amended by inserting after the word "corporation" where it occurs in the seventh line of said section, the words, "but no person shall vote by proxy except women, and no person shall have the right to vote more than one proxy," so that said section when amended shall read as follows: Section 1928. The directors subsequent to the first board, shall be chosen by ballot at the annual meeting of the corporation, which shall be held on the first Tuesday after the first Monday of January, unless some other day be fixed therefor by a majority of the votes of such corporation; and every person insured shall have one vote for each two hundred dollars for which he is insured, at such election and in the transaction of all other business of the corporation. But no person shall vote by proxy except women, and no person shall have the right to vote more than one proxy. The corporation may by a two-thirds vote at any annual meeting, adopt a resolution providing that its board of directors shall consist of nine persons; that they shall be divided into three classes of three persons each, and be designated as the first, second and third classes. Thereafter the directors of the first class shall be elected for one year, those of the second class for two and those of the third class for three years, and in each case until their successors are qualified, and thereafter all elections shall be for three years, except that vacancies shall be filled for the unexpired term.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 23, 1901.

No. 58, A.] Published March 26, 1901.

CHAPTER 82.

AN ACT to amend section 1458a, of the Wisconsin statutes of 1898, as amended by chapter 48 laws of Wisconsin for 1899 relating to duties of the Wisconsin state board of agriculture.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Jurisdiction and duties of board. SECTION 1. Section 1458a, of the Wisconsin statutes, as amended by chapter 48 of the laws of 1899, is further amended as follows: In the last paragraph of such section strike out the words "even-numbered," so that such section when so amended shall read as follows: Section 1458a. Said board may occupy such rooms in the capitol as may be assigned for that purpose by the governor. They shall have sole control of the affairs of the department of agriculture and of all state fairs and state fair grounds, and may make such by-laws, rules and regulations in relation to the management of the business of such department and said fairs and the offering of premiums thereat, as they shall from time to time determine. The board shall make a report of their action to the governor on or before the first day of December in each year.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 23, 1901.

No. 19, A.] [Published March 26, 1901.

CHAPTER 83.

AN ACT amending section 1024b of the Wisconsin statutes of 1898 relating to fees for return of notice of births.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Fee for filing notices of births. SECTION 1. Section 1024b of the Wisconsin statutes of 1898, is hereby amended as follows:

First by inserting the word "mid-wife" after the word "physician," where it occurs in the first line of said section, and second, by inserting the words "or notice" after the word "certificate," at the beginning of line three of said section, so that the said section when so amended shall be and read as follows: Section 1024b. Every physician, midwife and coroner or justice of the peace who shall comply with the foregoing provisions shall receive for each certificate or notice returned to the register of deeds and certified to as provided for, twenty-five cents, and every health officer or clerk who collects and transmits to the register of deeds of any county any birth or death as herein provided, shall receive for each certificate so returned and certified, fifteen cents; the said fees to be audited and paid out of the county treasury on an itemized account in accordance with the provisions of section 1026; but no duplicates shall be counted in computing such fees.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 23, 1901.

No. 318, A.] [Published March 27, 1901.

CHAPTER 84.

AN ACT prohibiting the shooting of any gun, pistol or other fire arms, into railroad or street railway cars or trains and prescribing the punishment therefor.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Crime deemed assault with intent to do great bodily harm. SECTION 1. Any person who shall wilfully and maliciously discharge any gun, pistol or other fire arms, or throw any dangerous missile into any railroad or street railway car or train, upon which either passengers or employes are being carried, shall be deemed guilty of assault with intent to do great bodily harm under section 4377, Wisconsin statutes of 1898, and shall be punished in accordance with the terms of that section, upon complaint duly made by any passenger or employe present upon such car or train at the time of the assault.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 23, 1901.

No. 283, A.] [Published March 27, 1901.

CHAPTER 85.

AN ACT to amend section 4078 of the Wisconsin statutes of 1898, relating to evidence.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Exposure to prosecution not to excuse; no prosecution except for perjury. SECTION 1. Section 4078 of the Wisconsin statutes of 1898 is hereby amended by striking out the last sentence of said section in the words following, to-wit: "But no testimony so given shall be in any manner used against the person so testifying in any other action or proceeding, civil or criminal, except a prosecution for perjury committed in giving such testimony," and substituting in lieu thereof the following: "But no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may testify or produce evidence, documentary or otherwise, in such action, proceeding or examination, except a prosecution for perjury committed in giving such testimony." So that said section, when so amended, shall read as follows: Section 4078. No witness or party in an action brought upon the bond of a public officer, or in an action by the state or any municipality to recover public money received by or deposited with the defendant, or in any action, proceeding or examination, instituted by or in behalf of the state or any municipality, involving the official conduct of any officer thereof, shall be excused from testifying on the ground that his testimony may expose him to prosecution for any crime, misdemeanor or forfeiture. But no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may testify, or produce evidence, documentary or otherwise, in such action, proceeding

or examination, except a prosecution for perjury committed in giving such testimony.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 23, 1901.

No. 131, A.] [Published March 27, 1901.

CHAPTER 86.

AN ACT relating to felony and amendatory of section 4409 of chapter 182 of the Wisconsin statutes of 1898.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Penalty extended to twenty years. SECTION 1. Section 4409 of chapter 182 of the Wiscosnin statutes of 1898, is hereby amended by striking out the word "five" where it occurs in the sixth line thereof and substituting therefor the words "twenty," so that when amended said section shall read as follows: Section 4409. Any person who shall break and enter in the nighttime any office, shop or warehouse or any other building, not adjoining or occupied with any dwelling house, or any ship, steamboat, vessel, railroad freight car or passenger car, with the intent to commit the crime of murder, rape, robbery, larceny or other felony shall be punished by imprisonment in the state prison not more than twenty years nor less than one year, provided that nothing herein shall be held to remit any penalty for offenses heretofore committed.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 23, 1901.

No. 30, A.] Published March 27, 1801.

CHAPTER 87.*

AN ACT to provide for the collection of the necessary expenses of interment of any deceased patient in a county asylum, whose support is chargeable to the state or to any county.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Superintendent to give remains decent burial. SECTION 1. Whenever a patient in any county asylum for the chronic insane, whose maintenance is chargeable to the state or to any other county, shall die and if his relatives or friends will not make provision for his burial it shall be the duty of the superintendent of such asylum to give his remains decent and proper burial. It shall be the duty of the superintendent, immediately upon such death, to notify one or more of the relatives or friends of the deceased, of his death provided he knows where to find him or them.

Expense of same, how collected. SECTION 2. The reasonable and proper expenses of such burial shall be certified by the superintendent to the state board of control with the account for the maintenance of such deceased inmate, and the same shall then be collected in the same manner as the cost of such maintenance is now collected of such county.

In case of controversy. SECTION 3. Should any controversy arise between the two counties as to the reasonableness of the charges for such burial, the same shall be adjusted by the state board of control on due notice on the part of the county contesting, to the superintendent of such insane asylum.

SECTION 4. This act shall take effect and be in force, from and after its passage and publication.

Approved March 23, 1901.

*Repealed, chapter 324.

No. 156, A.] [Published March 27, 1901.

CHAPTER 88.

AN ACT to amend section 2 of chapter 33 of the laws of Wisconsin for the year 1893, and the several acts amendatory thereof, to create and establish a superior court in and for Douglas county, Wisconsin.

The people of the state of Wisconsin, represented in senate and assembly do enact as follows:

Jurisdiction of court; appellate jurisdiction; proceedings in equity. SECTION 1. Section 2 of chapter 33 of the laws of 1893, as amended and re-enacted by chapter 301 of the laws of Wisconsin for the year 1893, is hereby amended by striking out the word "murder" where the same occurs in the sixth line of said section and inserting in lieu thereof the words "duelling and challenging to a duel," and by striking out the word "exclusive" where the same occurs in the eleventh line of said section and inserting in lieu thereof the word "concurrent," and by inserting after the word "jurisdiction" where the same occurs in the twelfth line thereof, the words "with the circuit court," so that said section when so amended shall read as follows: Section 2. Said superior court shall have and may exercise powers and jurisdiction concurrent and equal with the circuit court of said Douglas county, in all cases of crimes and misdemeanors arising in said county, except duelling and challenging to a duel; and appellate jurisdiction of all crimes and misdemeanors, tried before the judge of the municipal court, or justices of the peace in said county, in the same manner as is now provided by law for appeals to the circuit court in such cases. Said superior court shall have concurrent appellate jurisdiction with the circuit court in all cases of appeal from the municipal and justices' courts in said county, in all civil actions, and in all actions commenced in said courts, where an answer shall be put in showing that the title of lands will come in question, all of which cases shall be certified and all official returns made to said superior court in the manner prescribed by law, and said court shall have and exercise powers and jurisdiction in all civil actions and proceedings in law and equity, and in all special proceedings, except as to actions and proceedings under chapter 151, of the Wisconsin statutes of 1898, concurrent with and equal to the jurisdiction of

now absent therefrom pursuant to such leave. No inmate of either hospital committed by any court pursuant to section 4700 of these statutes shall be permitted to go at large until it shall have been lawfully determined that his insanity is incurable.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 23, 1901.

No. 332, A.] [Published March 27, 1901.

CHAPTER 78.

AN ACT to amend subdivision 1 of section 846 of the Wisconsin statutes of 1898, relating to the filing of bonds of justices of the peace.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

When bond to be filed; form of bond; when and where filed. SECTION 1. Subdivision 1 of section 846 is hereby amended so as to read as follows: Subdivision 1. Every justice of the peace, elected for a full term, shall on or before the first Monday of May, next succeeding his election, and every justice elected or appointed to fill a vacancy, shall within ten days thereafter, or after notice thereof, if required to be given, take and subscribe the oath of office prescribed in section 809, before a competent officer, and file the same with the clerk of the circuit court; and shall also, within the same time, execute and file with said clerk, a bond with two or more sufficient sureties, to be approved by the chairman or any two of the supervisors, substantially in the following form, namely:

A. B., chosen a justice of the peace in the town of ——, and C. D. and E. F., as his sureties, do hereby jointly and severally bind themselves and agree to pay on demand, to the said town and to each and every person who may be entitled thereto, all such sums of money as the said justice may become liable to pay on account of money which may come into his hands by virtue of his office.

Dated this —— day of ——, 19—.

A. B.
C. D.
E. F.

Executed in the presence of and sureties approved by
L. M., Chairman,
or
A. } Supervisors.
B. }

Duty of clerk of court. The clerk of the circuit court shall within ten days after the filing with him of said oath and bond, execute and mail to the clerk of the town, city or village, wherein such justice of the peace was elected, a certified copy of said bond, which certified copy shall be filed by said town, city or village clerk, and preserved in his office, and the same shall be presumptive evidence of its execution by such justice and his sureties.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 23, 1901.

No. 67, A.] [Published March 27, 1901.

CHAPTER 79.

AN ACT adding to the duties of the secretary of the State Board of Agriculture.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

To collect farm and weather statistics and deseminate same. SECTION 1. The secretary of the Wisconsin state board of agriculture, is hereby authorized to collect from the several counties of this state, information concerning the extent, condition and prices, of farm crops; the number, conditions of health and value of farm animals, prevailing conditions of weather, and such other information as he may deem of practical value to the agricultural interests of the state, and to publish monthly statements of such reports, for free distribution among the farmers and other interested parties of the state.

Printing of monthly reports. SECTION 2. The commissioners of public printing shall in connection with the printing now

done for the state board of agriculture, supply such secretary with the necessary blanks for such work, and cause to be published in pamphlet form, the reports issued by him; provided, that no more than five thousand copies of any single report shall be so published.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved March 23, 1901.

No. 266, A.] [Published March 26, 1901.

CHAPTER 80.

AN ACT to amend section 4588 of the Wisconsin statutes of 1898, relating to indecent exposure of person.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Penalty. SECTION 1. Section 4588 of the Wisconsin statutes of 1898, is hereby amended so as to read as follows: Indecent exposure. Section 4588. Any person who shall publicly expose his or her person, in an obscene or indecent manner shall be guilty of a misdeameanor, and upon conviction thereof shall be punished by imprisonment in the county jail, not more than six months nor less than ten days, or by a fine not exceeding one hundred dollars, nor less than one dollar, or both such fine and imprisonment in the discretion of the court; provided, however, nothing herein contained shall be held to remit any penalty for offenses heretofore committed.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 23, 1901.

No. 293, A.] [Published March 26, 1901.

CHAPTER 81.

AN ACT to amend section 1928 of the Wisconsin statutes of 1898 relating to mutual fire insurance companies.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Directors, how chosen; votes by proxy; increase of board. SECTION 1. Section 1928 of the Wisconsin statutes of 1898, is hereby amended by inserting after the word "corporation" where it occurs in the seventh line of said section, the words, "but no person shall vote by proxy except women, and no person shall have the right to vote more than one proxy," so that said section when amended shall read as follows: Section 1928. The directors subsequent to the first board, shall be chosen by ballot at the annual meeting of the corporation, which shall be held on the first Tuesday after the first Monday of January, unless some other day be fixed therefor by a majority of the votes of such corporation; and every person insured shall have one vote for each two hundred dollars for which he is insured, at such election and in the transaction of all other business of the corporation. But no person shall vote by proxy except women, and no person shall have the right to vote more than one proxy. The corporation may by a two-thirds vote at any annual meeting, adopt a resolution providing that its board of directors shall consist of nine persons; that they shall be divided into three classes of three persons each, and be designated as the first, second and third classes. Thereafter the directors of the first class shall be elected for one year, those of the second class for two and those of the third class for three years, and in each case until their successors are qualified, and thereafter all elections shall be for three years, except that vacancies shall be filled for the unexpired term.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 23, 1901.

fied by affidavit. It shall be sufficient that the affidavit is upon information and belief.

Summons to issue; notice to parents; committment. SECTION 5. Upon the filing of the petition, a summons shall issue from the court, requiring the person having custody or control of the child, or with whom the child may be, to appear with the child at the place and time stated in the summons, which time shall be not less than twenty-four hours after service. The parents of the child, if living, and their residence known, or its legal guardian if one there be, or if there is neither parent or guardian, or if his or her residence is not known, then some relative if there be one and his residence is known, shall be notified of the proceedings, and in any case the judge may appoint some suitable person to act in behalf of the child. If the person summoned as herein provided shall fail without reasonable cause to appear and abide the order of the court, or to bring the child, he may be proceeded against as in case of contempt of court. In case the summons cannot be served, or the partv served fails to obey the same, and in any case when it shall be made to appear to the court that such summons will be ineffectual, a warrant may be issued on the order of the court, either against the parent, or guardian, or the person having custody of the child, or with whom the child may be, or against the child itself. On the return of the summons or other process, or as soon thereafter as may be, the court shall proceed to hear and dispose of the case in a summary manner. When any child under the age of sixteen years shall be found to be dependent or neglected within the meaning of this act, the court may make an order committing the child to the care of some suitable state or county institution as provided by law, or to the care of some incorporated association willing to receive it, embracing in its objects the purpose of caring or obtaining homes for dependent or neglected children. Pending the final disposition of any case, the child may be retained in the possession of the person having the charge of the same, or committed to the care and guardianship of the probation officer, or may be kept in some suitable place provided by the proper authorities.

Custody of child during hearing. SECTION 6. In case of a delinquent child the court may continue the hearing from time to time, and may commit the child to the care and guardianship of a probation officer duly appointed by the court, and may allow said child to remain in its own home, subject to the visitation of the probation officer; such child to report to the probation officer as often as may be required, and subject to be re-

turned to the court for further proceedings whenever such action may appear to be necessary; or the court may commit the child to the care and guardianship of the probation officer, to be placed in a suitable family, subject to the friendly supervision of such probation officer; or it may authorize the said probation officer, to board out the child in some suitable family home, in case provision is made by voluntary contribution or otherwise, for the payment of the board of such child until a suitable provision may be made for the child in a home without such payment; or the court may commit the child if a boy, to an industrial school for boys, or if a girl, to an industrial school for girls; or the court may commit the child to the care and custody of some association or institution that will receive it, embracing in its objects the care of neglected, dependent or delinquent children.

When child to be brought before juvenile court instead of justice of peace. SECTION 7. When in any county where a juvenile court is held as provided in section 2 of this act, a child under the age of sixteen years is arrested, with or without warrant, charged with the violation of any law of this state the penalty for which is not imprisonment in the state prison, or the violation of any city or village ordinance, such child may, instead of being taken before a justice of the peace or police magistrate, be taken directly before such court, or if the child be taken before a justice of the peace or police magistrate, it shall be the duty of such justice of the peace or police magistrate to transfer the case to such court, and the officer having the child in charge to take such child before that court, and in any such case the court may proceed to hear and dispose of the case in the same manner as if the child had been brought before the court upon petition as herein provided. In any case the court shall require notice to be given and investigation to be made as in other cases under this act, and may adjourn the hearing from time to time for the purpose.

Preliminary hearing may be held, when; bail. SECTION 8. When in any county where a juvenile court is held as provided in section 2 of this act, a child under the age of sixteen years is arrested, with or without a warrant, charged with the violation of any law of this state the penalty for which is imprisonment in the state prison, the magistrate before whom the prisoner is brought shall as soon as may be, hold a preliminary examination of the offender, and all the provisions of chapter 195 of the Wisconsin statutes of 1898, relative to the arrest and examination of offenders shall be applicable, except that in case

it shall appear that an offense has been committed, and that there is probable cause to believe the prisoner guilty, the magistrate shall admit the prisoner to bail or commit him for trial to the juvenile court, and all provisions of law relating to proceedings in criminal cases in circuit courts shall be applicable to the trial, sentence and commitment of such offenders in such juvenile court; provided however that such court may in its discretion commit such offenders as provided in section 6 of this act.

Child under fourteen not to be committed to police station. SECTION 9. No court or magistrate shall commit a child under fourteen years of age to a jail or police station, but if such child is unable to give bail it may be committed to the care of the sheriff, police officer or probation officer, who shall keep such child in some suitable place, which shall be provided by the city or county outside of the enclosure of any jail or police station. When any child under sixteen years of age shall be sentenced to confinement in any institution to which adult convicts are sentenced, it shall be unlawful to confine such child in the same room with such adult convicts, or to confine such child in the same yard or enclosure with such adult convicts, or to bring such child into any yard, hall or room in which such adult convicts may be present.

Board of visitation; report of. SECTION 10. The judge of such juvenile court may appoint a board of six reputable inhabitants, who will serve without compensation, to constitute a board of visitation, whose duty it shall be to visit as often as once a year, all institutions, societies and associations receiving children under this act; said visits shall be made by not less than two of the members of the board, who shall go together or make a joint report; the said board of visitors shall report to the court from time to time the condition of the children received by or in charge of such associations, and institutions, and shall make an annual report to the state board of control in such form as the board may prescribe. The county board may at its discretion, make appropriations for the payment of the actual necessary expenses incurred by the visitors in the discharge of their official duties.

SECTION 11. This act shall take effect and be in force, from and after three months next after its passage and publication.

Approved March 26, 1901.

No. 401, A.] [Published March 28, 1901.

CHAPTER 91.

AN ACT "To authorize the establishment of traveling and permanent libraries by counties and to permit counties to receive gifts of lands, buildings, money, books or other property for the permanent use and maintenance of the same."

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

County board may appoint board of libraries. SECTION 1. The board of supervisors of any county may establish a board of libraries, and elect five directors thereof, of either sex, who may hold their office for three years, and until their successors are qualified, excepting the first year, when there shall be elected two directors for one year, two for two years and one for three years. Their term of office shall begin at once on their first election, but thereafter at the same date with county officers. Vacancies shall be filled by similar election of a successor to complete the term. No compensation or expenses whatever shall be allowed said directors.

Officers of board; powers of. SECTION 2. The said directors shall, upon a date appointed by the chairman of the county board, within thirty days after their first election, elect from their number a president, vice president, secretary and such other officers as they may deem necessary, and thereafter hold their annual election on the last Wednesday in January. They may make and adopt rules and by-laws for their own guidance, and of the county traveling libraries and officers thereof or of such permanent libraries established under section 7 of this act. They shall have the exclusive control of the expenditures of all moneys appropriated, or property or money donated for the uses of the county traveling libraries, or such permanent libraries, and the establishment, location, supervision, care, control and custody of such libraries; but shall not allow or pay any sums whatever for the keeping, care, transporting or librarian service of such county traveling libraries. They shall have exclusive charge and control of all lands, buildings, moneys or property devised, bequeathed or given to any county for libraries.

Supervising librarian and duties of. SECTION 3. The said board of libraries may appoint a supervising librarian for such such county traveling libraries, at a salary not to exceed fifty dollars per annum, whose duty it shall be to arrange the books in their cases and repair them when slightly injured, keep the records, instruct the librarians of county traveling libraries in their duty, and perform such other duties as directed by the said board. Such supervising librarian shall be a resident of the county, of either sex, and may be permitted such expenses, as necessary travel in establishing county traveling libraries, or other expenses found necessary in the interest of the county traveling libraries. Such salary and expenses to be paid by the county board on the certificate of president and secretary of the board of libraries.

Duty of board as to books. SECTION 4. It shall be the duty of the board of libraries to purchase suitable books for the county traveling libraries, arrange them in proper cases, and distribute such cases of books to as many districts as equally distant from each other as their means will permit, with the object in view of finally serving libraries within easy reach of all the people of the county. Such libraries may be located at suitable places in any town, village or city, within the county, and not permitted to remain in one location longer than six months, except upon application of not less than five patrons holding cards in such library, when such time may be extended not to exceed thirty days. Upon such removal another library may be loaned in its place successively for similar periods.

Appropriation for maintenance of libraries. SECTION 5. For the purpose of such county traveling libraries any county may appropriate the first year not to exceed five hundred dollars and thereafter annually not to exceed two hundred dollars. Such money shall be retained by the treasurer of the county in a separate fund. It shall be paid out on order of the board of libraries, signed by its president and secretary. All the books, property, moneys, donations, devises, bequests or gifts, bought or appropriated or given for the purposes of this act, shall remain the property of the county for the uses herein enacted.

Free Library Commission to advise. SECTION 6. The Wisconsin Free Library Commission may advise any board of libraries as far as practicable in the conduct of its work.

County may receive devises, bequests, etc. SECTION 7. Any county may receive by devise, bequests or gifts of lands, buildings, money, books or other property for the pur-

pose of establishing a public library for the county and may enter into an agreement to maintain a public library in consideration thereof, and shall be bound to faithfully perform such agreement. In such case the said board of libraries have full power to properly administer the same.

SECTION 8. This act shall take effect and be in force, from and after its passage and publication.

Approved March 26, 1901.

No. 105, A.] [Published March 28, 1901.

CHAPTER 92.

AN ACT providing for the separate assessment of land and the buildings and improvements thereon, and amendatory of section 1052, of the Wisconsin statutes of 1898.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Value of lands and improvements to be entered separately. SECTION 1. Section 1052, of the Wisconsin statutes of 1898, is hereby amended by adding at the end of said section the following words: "In one column he shall enter the value of the land, exclusive of the buildings thereon; in a separate column under the head "improvements," he shall enter the value of such buildings, together with machinery and fixtures therein, if any, not separately assessable, as personal property; and in the third column he shall enter the value of both land and improvements."

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 26, 1901.

No. 225, S.] [Published April 2, 1901.

CHAPTER 93.

AN ACT relating to certificates of juror's attendance to amend section 2560 of the statutes of 1898.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Duty of juror before receiving certificate. SECTION 1. Section 2560 of the statutes is hereby amended by striking out the words "certificate shall be receipted for by the juror" in the fifth and sixth lines of said section, and inserting in lieu thereof, the following words: "Jurors shall make affidavit thereto and receipt for same," so that said section as amended, shall read as follows: Section 2560. The clerk of the court whenever a jury shall be discharged, or at the end of each term of court, or within ten days thereafter, shall make out a certificate to each juror attending the court, certifying the number of days attendance, the number of miles travelled, and the amount of compensation due him, and every such juror shall make affidavit thereto and receipt for same, before it shall be delivered to him, and thereupon the county treasurer shall pay the amount thereof out of the county treasury.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 28, 1901.

No. 318, S.] [Published April 2, 1901.

CHAPTER 94.

AN ACT requiring the attorney general to make a biennial report, and providing for the publication of the same.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

What to report. SECTION 1. The attorney general shall prepare in each even numbered year a report, to be delivered by

him to the governor on or before the tenth day of December, containing an account of all matters pertaining to this office for the biennial period and the substance of all legal opinions rendered by him on matters of public interest, together with an index of the same.

Number of copies to be printed. SECTION 2. This report shall be published by the commissioners of public printing in the public documents of the state and there shall also be published by the commissioners of public printing one thousand separate copies to be bound in cloth, of which number one hundred and fifty copies shall be delivered to the attorney general for distribution, and the balance shall be delivered to the superintendent of public property and distributed by him as and in the manner provided by law for the distribution of reports of the other elective state officers.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 28, 1901.

No. 45, S.] [Published April 2, 1901.

CHAPTER 95.

AN ACT to enable cities of the fourth class to build and maintain public water and electric lighting works.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Cities may own personal and real property for purpose of act. SECTION 1. Every city of the fourth class in the state of Wisconsin, whether operating under a general or special charter, is hereby authorized and empowered to purchase, lease or construct steam power or water power for the purpose of maintaining and operating for public use, lighting plants and water works, and for such purpose may lease, purchase and hold the necessary real and personal property.

Authority granted by act to be authorized by vote of people. SECTION 2. The authority and power granted in section one of this act shall be exercised only when the same shall have been

ratified by a two-thirds vote of the voters in such city at a special election called for that purpose, as special elections are now authorized to be called, providing however, that no such exercise of power shall require the expenditure of a sum greater than three per cent. in any one year on the taxable property of said city.

Conflicting laws repealed. SECTION 3. All laws interfering with the provisions of this act are hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved March 28, 1901.

No. 309, S.] [Published April 2, 1901.

CHAPTER 96.

AN ACT to amend section 935 of the statutes of 1898, relating to the annual reports of free public libraries.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

When and what to report. SECTION 1. Section 935 of the statutes, is hereby amended by adding after the words "annual report," in the second line, the words "on or before the first day of July in each year," and at the close of the section the following words: "and they shall send one copy of this report to the Wisconsin free library commission." The said board shall also include in the said annual report the names of the directors whose terms expire at the time the report is made," so that said section when amended shall read as follows: Section 935. The said board of directors shall make an annual report, on or before the first day of July in each year, to the council or proper board stating the condition of their trust, the various sums of money received from the library fund and all other sources, and how much money has been expended, the number of books and periodicals on hand, the number added during the year, the number lost or missing, the number of books loaned out, and the general character of such books, with such other statistics, information and suggestions as they may deem of general interest, and

they shall send one copy of this report to the Wisconsin free library commission. The said board shall also include in the said annual report the names of the directors whose terms expire at the time the report is made.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 28, 1901.

No. 288, S.] [Published April 2, 1901.

CHAPTER 97.

AN ACT relating to the reports of state officers and the chiefs of bureaus and departments.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

To report receipts and disbursements to governor. SECTION 1. The respective state officers, heads or chiefs of bureaus and departments of the state service and the several boards having control of the charitable, and penal and educational institutions of the state including the normal schools and state university shall, on or before the tenth day of January in each odd-numbered year, make and deliver to the governor a brief succinct, detailed report of all receipts and expenditures in their respective offices, boards, bureaus or departments for the biennial term ending the first Monday of January.

To report expenses of department. SECTION 2. The respective state officers and chiefs or heads of all bureaus and departments and regents of state university and normal schools shall in each odd-numbered year, on or before the tenth day of January make and deliver to the governor in tabular form a complete, concise and detailed report of the expenses of conducting such office, bureau or department, normal schools and state university for each year of the biennial term ending on the first Monday in January preceding the date of such report, and shall accompany such report with a like detailed statement or report of the receipts and expenses of conducting such office, bureau or

department for the corresponding years of the two preceding biennial terms.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 28, 1901.

No. 308, S.] [Published April 2, 1901.

CHAPTER 98.

AN ACT to amend section 932 of the statutes of 1898, relating to the appointment of library directors.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Provision for reducing directorate; number of directors; term of office; vacancies. SECTION 1. Section 932 of the statutes of 1898 is hereby amended by adding the words "in each city of the second and third class," after the words "reading room" in the second line, and by striking out the words "the president of such village or the chairman of such town" in the third line and by adding after the words "common council" in the fourth line the words "and in each city of the fourth class, in each village or town there shall be a board of six directors appointed by the mayor of such city, by the president of such village or the chairman of such town, with the approval of the respective common council, village or town board." The following words shall also be added to section 932: "It is further provided that in any city of the fourth class, or any village or town, having a public library with a board of nine directors, that, upon the request of such board, the mayor of such city, the president of such village or the chairman of such town, shall omit to make appointments to the board to fill vacancies, until the number of members of the board, excluding the ex-officio member, is reduced to six, and thereafter the board shall include no more than six appointive members," so that the whole section when so amended shall read as follows: Section 932. For the government of such library and reading room, in each city of the sec-

ond or third class, there shall be a board of nine directors, appointed by the mayor of such city, with the approval of the common council, and in each city of the fourth class, in each village or town there shall be a board of six directors, appointed by the mayor of such city, by the president of such village or the chairman of such town, with the approval of the respective common council, village or town board, from among the citizens thereof; and not more than one member of the council, or village or town board shall at any one time be such director. Such directors shall hold their office for three years from the first day of July in the year of appointment and until their successors are appointed, but upon their first appointment they shall divide themselves at their first meeting by lot into three classes, one-third for one year, one-third for two years and one-third for three years, and their terms shall expire accordingly. All vacancies shall be immediately reported by the directors to the common council, town or village board and be filled by appointment in like manner, and if in an unexpired term for the residue of the term only. No compensation whatever shall be paid or allowed any director; provided, that in any city or village which has established or may establish a free library under the provisions of section 931, the city superintendent of schools or the supervising principal of schools shall be ex-officio a member of the board of directors of such library. It is further provided that in any city of the fourth class, or any village or town, having a public library with a board of nine directors, that, upon the request of such board, the mayor of such city, the president of such village or the chairman of such town, shall omit to make appointments to the board to fill vacancies, until the number of the members of the board, excluding the ex-officio member, is reduced to six, and thereafter the board shall include no more than six appointive members.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 28, 1901.

No. 292, S.] [Published April 2, 1901.

CHAPTER 99.

AN ACT relating to the county court of Rock county.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

When county judge may request municipal judge to sit. SECTION 1. In case of the sickness, absence from home or inability arising from any cause, of the county judge of Rock county, or in case said judge, or any member of his family, or any relative is in any way interested in any proceeding in the Rock county court, or before the judge of said court, or when said judge deems that for any cause it is improper for him to hear or try any proceeding in said court or before him as judge of said court, he may request the municipal judge of said county to hold said court or hear and try any such matter or proceeding; and the said municipal judge is hereby authorized and empowered upon such request from the county judge to hold said county court, or perform any act as judge thereof as fully as said county judge is authorized or empowered to do.

Designation of judge called in. SECTION 2. Such municipal judge when acting under request of the county judge as provided in section 1 of this act shall be designated as "acting county judge."

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 28, 1901.

No. 487, A.] [Published April 2, 1901.

CHAPTER 100.

AN ACT to amend section 2878 of the Wisconsin statutes of 1898, relating to motion for new trial on minutes of judge.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Motion not granted during term, deemed to be overruled. SECTION 1. Section 2878 of the Wisconsin statutes of 1898 is hereby amended by adding at the end thereof the following: "If such motion be made but not decided during such term, it shall be taken as overruled, and an exception to such constructive denial of the same shall be allowed in the bill of exceptions;" so that said section when amended shall read as follows: Section 2878. The judge before whom the issue is tried may, in his discretion, entertain a motion to be made on his minutes, to set aside a verdict and grant a new trial upon exceptions or because the verdict is contrary to law or contrary to evidence, or for excessive or inadequate damages; but such motion if heard upon the minutes can only be heard at the same term at which the trial is had. When such motion is heard and decided upon the minutes of the judge and an appeal is taken from the decision, a bill of exceptions must be settled in the usual form, upon which the argument of the appeal must be had. If such motion be made, but not decided during such term, it shall be taken as overruled, and an exception to such constructive denial of the same shall be allowed in the bill of exceptions.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 30, 1901.

No. 529, A.] [Published April 2, 1901.

CHAPTER 101.

AN ACT to amend section 2625 of the Wisconsin statutes of 1898, relating to change of place of trial of civil actions.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Affidavit for change of venue to contain what; judge called in; notice from. SECTION 1. Section 2625 of the Wisconsin statutes of 1898 is hereby amended so as to read as follows: Section 2625. The court shall change the place of trial of any action or special proceeding upon the application of any party thereto, who shall file his affidavit, that he has good reasons to, and does believe, that he cannot have a fair trial of such action or proceeding on account of the prejudice of the judge, naming him, or in lieu of granting such application, such judge may in his discretion retain such action or preceeding in the same court without entering an order changing the place of trial until the last day of the then current term, if the application is made at a term at which the action is triable or the next term if it is made in vacation; and in the meantime shall call upon some other circuit judge or judges to attend and hold court during such current or next term for the purpose of exercising jurisdiction in all actions and proceedings in which applications for change of the place of trial have been made for such reason. And while so in attendance, said judge may make all orders and hear all applications and motions that may be brought on for hearing during the time, he shall so attend. If such other judge or judges (as may be necessary or convenient) can so attend and hold court for such purpose, at either such terms, the same shall be done with the same effect as if a change of venue to another circuit and a trial of such action or proceeding had been had therein; but if no such judge shall so attend, an order for a change of the place of trial shall be entered in each action and proceeding, wherein proper application has been made on the last day of such term, and thereupon such change shall be made. If such application shall be made after any continuance in the action or proceeding obtained by the party filing such affidavit, it shall be granted only upon payment of the costs of making the same and the costs of the term, but no costs for the attendance of witnesses shall be included if notice of the

application, with a copy of such affidavit, shall have been served upon the opposite party ten days before the commencement of the term. But one change of the place of trial shall be granted to the same side under the provisions of this section. When any judge shall be called in pursuant to this section and shall attend, he shall give to the clerk of the court five days notice of the time when he will so attend, and such clerk shall give to the attorneys of record of all the parties to the actions and proceedings in which application for a change of the place of trial have been made, immediate notice of the time when such judge will so attend.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 30, 1901.

No. 534, A.] [Published April 2, 1901.

CHAPTER 102.

AN ACT to amend section 2261 of the Wisconsin statutes of 1898, relating to the recording of plats.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

When owner of platted land dies before certifying to plat. SECTION 1. Section 2261 of the Wisconsin statutes of 1898 is hereby amended by adding to the end thereof the following: "provide however that if the owner of the land so platted and certified by the surveyor shall have died without having legally certified and acknowledged said plat so as to entitle it to be recorded, but shall have sold and conveyed lots therein describing them as lots within said plat, and the streets upon said plat if any there be thereon, shall have been opened pursuant to said plat for public use, and worked by public authority with the consent of said owner, such facts may be proven by the affidavit of the owner of any lot within said plat endorsed upon the back of said plat, and thereupon the said plat and the endorsements thereon shall be entitled to record in the same man-

ner and with like effect as if properly certified and acknowledged by said owner.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 30, 1901.

No. 445, A.] [Published April 2, 1901.

CHAPTER 103.

AN ACT to provide for the terms of court in the seventeenth judicial circuit of the state of Wisconsin, and to amend chapter 62 of the laws of Wisconsin for 1899.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Date of terms. SECTION 1. Chapter 62 of the laws of Wisconsin for 1899 is hereby amended so as to read as follows: Seventeenth circuit. In the county of Jackson, on the first Monday in March and on the second Monday in October; in the county of Eau Claire, on the third Monday in March and September; in the county of Clark, on the third Monday in April and on the second Monday in November. There shall also be held in the county of Eau Claire, on the second Monday in June, a special term for said circuit but no jury shall be drawn for said term.

Conflicting laws repealed. SECTION 2. All acts and parts of acts, conflicting with this act are hereby repealed.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved March 30, 1901.

No. 342, A.] [Published April 2, 1901.

CHAPTER 104.

AN ACT to amend section 4816 of the Wisconsin statutes of 1898, relating to surrendering of principal by sureties.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

When personal recognizance may be entered. SECTION 1. Section 4816 of the Wisconsin statutes of 1898, is hereby amended by inserting after the word "which," where it occurs in the eighth line of said section the following words: "in the case of a witness;" and further amended by inserting after the word "bond" where it occurs at the end of the ninth line in said section, the following words: "and which in the case of a person accused of crime shall be applied by the magistrate or court before whom the accused is tried, in satisfaction of so much of the judgment as is required by the payment of money, rendering the surplus money, if any there be, to the person depositing the same;" so that said section when so amended shall read as follows: Section 4816. In all cases where a recognizance or bail bond with sureties is required by the court or other magistrate, of any person for his appearance to answer any criminal charge or as a witness, the person so required to enter into the same with sureties, may, in lieu of such sureties, enter into his own personal recognizance or bond without sureties, upon depositing with the court the amount thereof in money, which on the forfeiture of such recognizance or bond, shall be paid into the county treasury in discharge thereof, but which in the case of a witness, shall be refunded to the person depositing the same, upon his appearance according to the terms of such recognizance or bond; and which in the case of a person accused of crime, shall be applied by the magistrate or court before whom the accused is tried, in satisfaction of so much of the judgment as is required by the payment of money, rendering the surplus money, if any there be, to the person depositing the same; and if such money is deposited with a justice of the peace or other magistrate, it shall be paid over with the return of such recognizance, to the clerk of the court to which he is bound to appear.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 30, 1901.

No. 288, A.] [Published April 2, 1901.

CHAPTER 105.

AN ACT to amend section 1 of chapter 128 of the law of 1897, relating to the municipal court of the city and town of Ripon.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Jurisdiction of court; disposition of fines; vacation of judge; motions. SECTION 1. Section 1 of chapter 128 of the laws of 1897 is hereby amended by inserting after the word "Ripon" where it occurs in the fifty-ninth line of said section, the following: "Said municipal court shall be continuously open during each of its terms and during at least one day in each week, as shall be designated by the judge thereof at the opening day of each term, shall be regularly in session for the transaction of business, and when so in session it shall continue from day to day until all unfinished business, ready for disposition, shall be disposed of, provided that a vacation, not exceeding four weeks in succession, may be taken by the judge once in each year;" in lieu of the following where they appear in said section; "Said municipal court shall be deemed open for the transaction of business from the commencement of any regular term thereof until any such term is adjourned without day or until the next regular term thereof." And said section is further amended by inserting at the end thereof the following: "Motions and issues of law or fact pending in said court may be brought to a hearing at any session day of said court, upon eight days' prior notice in the case of motions, and ten days' prior notice in the case of trials of issues joined,and on said session day the trial shall be taken up in the order of the date of issue unless otherwise ordered or stipulated. If for any reason the court is not in session on the day for which the motion or trial has been noticed, the same shall stand for argument or trial at the next session day at which the court may be sitting." So that said section when amended shall read as follows: Section 1. The municipal court of the city and town of Ripon heretofore established is continued and shall be a court of record and have a clerk and seal, shall have exclusive appellate jurisdiction in all cases of appeal, civil and criminal, from justices' courts in said city and town, and of all cases commenced in such justices' courts when an answer shall be put in showing that title to lands will come in question and which shall then be certified to said municipal court in the man-

ner provided by law for certifying such cases to circuit courts. It shall also exercise powers and jurisdiction in all civil actions and proceedings arising within the city and town of Ripon in law and equity, concurrent with and equal to the jurisdiction of the circuit court of Fond du Lac county, where the value of the property in controversy, or the amount of money claimed or sought to be recovered, after deducting all payments and set-offs, shall not exceed fifty thousand dollars; and also of all actions for the foreclosure of mortgages in which the amount claimed does not exceed the amount aforesaid, although the value of the property to be affected by the judgment exceeds that sum. It shall also have concurrent jurisdiction with said circuit court of all criminal offenses committed within the city or town of Ripon other than those punishable by imprisonment in the state prison, and in any proceedings in any such criminal offense alleged to have been committed within the jurisdiction of said municipal court which a justice of the peace has not jurisdiction to try and determine and in which the accused shall be bailed, recognized, bound over or committed for trial, such accused shall be bailed, recognized, bound over and committed for trial before the said municipal court at the next term thereof. If any person accused of any criminal offense, is so bound over or committed for trial before said municipal court and it shall thereafter appear, by the filing of the information or otherwise, that said municipal court has not jurisdiction to try the offense, then such proceedings shall not abate and the said municipal court shall not lose jurisdiction of such person or proceedings, but the judge thereof shall certify the same to the circuit court of Fond du Lac county, which court shall thereupon have jurisdiction thereof to try and determine the same. All fines and penalties collected in said municipal court, except for violation of city ordinances, shall be paid to the treasurer of Fond du Lac county, and all fines and penalties for violation of city ordinances shall be paid to the treasurer of the city of Ripon. Said municipal court shall be continuously open during each of its terms and during at least one day in each week, as shall be designated by the judge thereof at the opening day of each term; shall be regularly in session for the transaction of business, and when so in session it shall continue from day to day until all unfinished business ready for disposition, shall be disposed of, provided: That a vacation, not exceeding four weeks in succession, may be taken by the judge once in each year, and no adjournment from day to day shall be necessary to the validity of any proceedings in said court, but no per diem shall be paid to any officer of said court for any day on which the court is not actually in session transacting business, requiring the presence

of such officer. Said court shall have the seal heretofore procured therefor, and its judgments and orders may be reviewed by the supreme court in the same manner that judgments and orders of circuit courts may be. Motions and issues of law or fact pending in said court, may be brought to a hearing at any session day of said court upon eight days' prior notice in the case of motions, and ten days' prior notice in the case of trials of issues joined, and on said session day the trial shall be taken up in the order of the date of issue, unless otherwise ordered or stipulated. If for any reason the court is not in session on the day for which the motion or trial has been noticed, the same shall stand for argument or trial at the next session day at which the court may be sitting.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 30, 1901.

No. 297, A.] [Published April 2, 1901.

CHAPTER 106.

AN ACT to amend chapter 34 of the laws of the state of Wisconsin for the year 1899, relating to the appointment of a board of trustees of homes for dependent children.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Treasurer of home; quarterly appropriations; binding out minors; adoption; duty of trustees. SECTION 1. Chapter 34 of the laws of 1899, is hereby amended by striking out section 3 of said act and inserting in lieu thereof as said section 3, the following: "The treasurer of the county shall be the treasurer of such dependent home." And by adding thereto new sections as follows: Section 4. The county board of any county in which such dependent home has been established shall make sufficient appropriations, quarterly in advance, for the support and maintenance, repair and improvement of said dependent home and grounds; and such appropriation, so made, shall be paid for such purpose to the order of said board of trustees, in such manner as their by-laws may provide. Section 5. Such trustees,

when so appointed and qualified, may bind out all minors, who are supported at the expense of the county, in the same manner and with like effect as town boards are authorized to do by section 1511. Section 6. Said trustees are hereby authorized to consent to the adoption of any child, who is an inmate of said home, by any person or persons in the manner provided by law, and such consent given in writing shall have the same force and effect as if given by the parent or parents of such child. Such written consent shall be in duplicate, and one copy shall be filed with the secretary of said trustees, and the other delivered to the county court in which the proceedings for adoption are to be taken, to be there filed. On the consummation of such proceedings, the custody of the said trustees over the child adopted, shall cease, except as hereinafter provided. Section 7. It is hereby made the duty of said trustees or their agent or agents, whom they may appoint for such purpose, before consenting to the binding out or the adoption of any such minors, to carefully investigate the qualifications and fitness of such persons to whom such children are to be bound out, or by whom they are to be adopted. Section 8. It is hereby made the duty of such board of trustees, or their duly authorized agent or agents, to inquire into the treatment of children to whose adoption they have given their consent, as herein provided, or who shall have been bound out by such trustees, or by their predecessors in office, and defend them from all cruelty and neglect on the part of those persons who have adopted them, or to whom they have been bound out. Section 9. If any child so adopted shall be misused, ill treated or neglected by the person or persons, who shall have adopted such child, or by any person under their direction or by their permission, said trustees or any one thereof, in behalf of such child, may file a complaint in the county court for the county in which such person or persons so adopting such child or children reside, setting forth the facts and circumstances of the case, and the court, after having caused such notice as it shall deem reasonable to be given to the person or persons having adopted such child, shall proceed to hear and determine the cause, whether such person or persons, who have adopted such child, shall appear or not; and if the complaint be sustained, may make an order revoking and setting aside all orders and proceedings made in the adoption of such child by any court, and shall further order in his discretion, that said child shall be returned to the dependent home from which such child was adopted, and that the costs of the proceedings be paid by such person or persons against whom such complaint is made. If such complaint made by the officer authorized to bind out minors, or consent to their adoption, be not sustained, the court

shall not award costs against such officer, unless it shall appear that the complaint was made without just or reasonable cause. Either party may appeal from any such order to the circuit court in the manner provided for appeals from orders made in probate proceedings.

Conflicting laws repealed. SECTION 2. All acts and parts of acts inconsistent with this act, are hereby repealed.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved March 30, 1901.

No. 221, A.] [Published April 2, 1901.

CHAPTER 107.

AN ACT to amend chapter 251 of the laws of Wisconsin of 1899, entitled, "an act to regulate the issuing of warehouse certificates in certain cases."

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

For what certificates may be issued; what to recite. SECTION 1. Section 1 of chapter 251 of the laws of 1899 is hereby amended by inserting after the word "therefrom" in the fifth line thereof, the following: "or engaged in the business of canning or pickling any products of the farm;" and by inserting after the word "store" in the eleventh line thereof the following: "including all receptacles for any of said products and commodities," so that the said section when so amended shall read as follows: Section 1. All persons, firms or corporations owning or dealing in grains, seeds or other farm products, or engaged in the business of slaughtering cattle, sheep or hogs, and dealing in the various products therefrom, or engaged in the business of canning or pickling any products of the farm, or buying or selling butter, eggs, cheese, dressed poultry or other similar commodities, who own or control the structures wherein any such business is conducted, or such commodities stored, may issue elevator or warehouse certificates or receipts for any such commodities actually on hand and in store, including all recep-

tacles for any of said products and commodities the property of such person, firm or corporation, and may by the issue of such certificates, sell, assign, encumber or pledge such commodities. Such certificate or receipt shall contain the date of its issue, the name and address of the person, firm or corporation issuing the same, and the name and address of the party to whom issued, the location of the elevator, warehouse or structure wherein the commodity therein described is stored, the quantity of each commodity mentioned therein, the brands or marks of identification thereon, if any, and shall be signed by the person, firm or corporation issuing the same.

SECTION 2. This shall take effect and be in force, from and after its passage and publication.

Approved March 30, 1901.

No. 113, A.] [Published April 2, 1901.

CHAPTER 108.

AN ACT to amend section 4432 of the Wisconsin statutes of 1898, relating to the use of false weights or measures.

The people of the state of Wisconsin represented in senate and assembly do enact as follows

Penalty for using false weights or having in possession. SECTION 1. Section 4432 of the Wisconsin statutes of 1898, is hereby amended by inserting after the word "thing" in the middle of the fifth line of said statute the words "or any person who shall sell or offer to sell or have in his possession for the purpose of selling, any device or machine to be used to or calculated to falsify any weight or measure;" so that said section when amended shall read as follows: Section 4432. Any produce merchant, warehouseman, miller or storage, forwarding or commission merchant or any other person who shall wilfully use false weights or measures in the buying or selling of any commodity or thing, and thereby shall cheat or defraud the seller or buyer of any such commodity or thing; or any person who shall sell or offer to sell or have in his possession for the purpose of selling, any device or machine to be used to or calculated to falsify any weight or measure, shall be punished by imprison-

ment in the county jail not more than one year or by fine not exceeding five hundred dollars; but in case the amount of damages occasioned by such cheat or fraud, shall not exceed twenty dollars he shall be punished by imprisonment in the county jail not more than three months or by fine not exceeding one hundred dollars.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 30, 1901.

No. 202, A.] [Published April 2, 1901.

CHAPTER 109.

AN ACT to provide for the admission to the state public school, of certain deformed and crippled children.

The people of the state of Wisconsin represented in senate and assembly do enact as follows

Age limit of children to be admitted. SECTION 1. In addition to the classes of children now received at the state public school for neglected or dependent children, pursuant to existing laws, there shall also be received as pupils in the said school, any such children under fourteen years of age, residents of this state, who are of sound mind but who are crippled or deformed in body, provided their bodily ailments are such as admit of proper care and treatment at the school with the facilities which are, or may hereafter be, provided therefor, subject only to the limitations contained in the next section.

Existing laws applied to crippled children. SECTION 2. All existing provisons of law for the commitment, care, disposition, control and discharge of the inmates of said school, and all restrictions upon their admission, except the three years' age limitation, and except as herein provided, shall apply to such crippled or deformed children.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved March 30, 1901.

No. 208, A.] [Published April 2, 1901.

CHAPTER 110.*

AN ACT to amend section 2424 of the Wisconsin statutes of 1898, relating to the terms of court in the fifteenth judicial circuit.

The people of the state of Wisconsin represented in senate and assembly do enact as follows

Terms as amended; when jury not to be summoned. SECTION 1. Section 2424 of the Wisconsin statutes of 1898, is hereby amended by striking out the words "and the second Monday in November" in the fourth and fifth lines of that part of said section relating to the terms of court in the fifteenth judicial circuit and inserting in lieu thereof the words, "and the first Monday in December;" and also the words "and the first Monday in December" in the seventh line of said section relating to the terms of court in said fifteenth judicial circuit, and inserting in lieu thereof the words, "and the second Monday in November;" so that said part of said section when so amended will read as follows: Fifteenth circuit. In the county of Ashland on the first Monday in January, the fourth Monday in April and the first Monday in September; in the county of Bayfield on the first Monday in June and the third Monday in October; in the county of Iron on the third Monday in June and the first Monday in December; in the county of Price on the third Monday in May and the fourth Monday in November; in the county of Sawyer on the third Monday in April and the second Monday in November; in the county of Taylor on the Wednesday after the first Tuesday in April and on the first Monday in October. No jury shall be summoned for any such term if the presiding judge of the circuit shall file an order with the clerk of the court for any county therein, at least fifteen days before any general term in such county, directing that no jury shall be summoned; such order may be made whenever it shall appear that there is no necessity for a jury. Said judge may adjourn any general or special term of such court to the next ensuing general term or beyond the time fixed for holding general terms thereof in any county in the circuit.

Conflicting laws repealed. SECTION 2. All act and parts of acts conflicting with this act, are hereby repealed.

*See chapter 299.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved March 30, 1901.

No. 41, S.] [Published April 2, 1901.

CHAPTER 111.

AN ACT to amend section 1665, of the Wisconsin statutes of 1898, as amended by chapter 282, of the laws of 1899, relating to the standard of weights and measures.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Standards as revised. SECTION 1. Section 1665 of the Wisconsin statutes of 1898, as amended by chapter 282 of the laws of 1899, is hereby amended as follows: First, by striking out the words "fifty-five pounds for a bushel of flaxseed," where they occur in lines 20 and 21; "or buckwheat," where they occur in line 26; "and," where it occurs in line 39; and "or," where it occurs in line 20 of section 1, chapter 282, laws of 1899; second, by inserting the words "flaxseed or rutabagas" after the word "rye" in line 20; "buckwheat" after the word "carrots" in line 25; "or" after the word "apples" in line 26; "pounds" after the word "forty-eight" in line 25; and "pounds" after the word "forty-four" in line 28 of said section; so that said section when so amended shall be and read as follows: Section 1665. The following shall be the legal standard of weights and measures in this state. The avoirdupois pound to bear to the troy pound, the relation of seven thousand to five thousand seven hundred and sixty. Whenever either of the articles as commodities in this section mentioned, shall be sold by the bushel, and no special agreement as to measure or weight thereof shall be made, the measure thereof shall be ascertained by weight, and shall be computed as follows: sixty pounds for a bushel of wheat, peas, potatoes, clover seed or beans; fifty-seven pounds for a bushel of onions; fifty-six pounds for a bushel of Indian corn, rye, flaxseed or rutabagas; fifty-four pounds for a bushel of sweet potatoes; fifty pounds for a bushel of corn meal, rape seed, millet seed, beets, green cucumbers, apples, rye meal, carrots, buck-

wheat or fine salt; forty-eight pounds for a bushel of barley, or Hungarian grass seed; forty-five pounds for a bushel of timothy seed or rough rice; forty-four pounds for a bushel of hemp seed, parsnips or sea island cotton seed; forty-two pounds for a bushel of turnips; thirty-four pounds for a bushel of barley malt; thirty-three pounds for a bushel of dried peaches; thirty-two pounds for a bushel of oats; thirty pounds for a bushel of upland cotton seed; twenty-five pounds for a bushel of dried apples; twenty pounds for a bushel of bran or shorts; seventy pounds for a bushel of coarse salt or lime; eighty pounds for a bushel of unslacked lime; eight pounds for a bushel of plastering hair, and two thousand two hundred and forty pounds for a cord of hemlock bark.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 30, 1901.

No. 165, S.] [Published April 3, 1901.

CHAPTER 112.*

AN ACT to add a new section to-wit: section 3874a to the Wisconsin statutes of 1898 relating to the sale of the estates of deceased persons, and to amend section 3881 relating to the same subject.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Personal property may be sold to pay charges, when. SECTION 1. There is hereby added a new section to be known as section 3874a to the statutes of 1898 which shall read as follows: Section 3874a. Whenever the personal estate of any deceased person in the hands of his executor or administrator shall be insufficient to pay the amount of the charges of administration, his executor or administrator may mortgage, lease or sell his real estate (except the homestead when it is not subject to the debts and liabilities of the deceased owner), for that purpose on obtaining a license therefor and proceeding therein in the manner provided in this chapter. The petition in such proceeding shall

*See chapter 283.

in addition to the requirements of section 3875 state the amount of the charges of administration.

When court may order mortgaging or sale of real property. SECTION 2. Section 3881 of the statutes of 1898 is hereby amended by adding at the end thereof a new subdivision to be known as subdivision four and to read as follows:

"4. That the personal estate of the deceased is insufficient for the payment of the charge of administration."

So that when amended said section shall read as follows: Section 3881. The court shall make no order for the mortgaging, leasing or sale of the real property of the deceased until upon examination it shall appear to said court:

1. That the executor or administrator making such application has fully complied with the preceding provisions of this chapter;

2. That the debts for the purpose of satisfying which the application is made are justly due and owing;

3. That the personal estate of the deceased is insufficient for the payment of such debts;

4. That the personal estate of the deceased is insufficient for the payment of the charges of administration.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 30, 1901.

No. 189, S.] [Published April 3, 1901.

CHAPTER 113.

AN ACT amending chapter 194 of the laws of Wisconsin for 1899 relating to the search and seizure and the unlawful sale of intoxicating liquors.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Complaint for violation of excise law, how made; issue of warrant. SECTION 1. Chapter 194 of the laws of Wisconsin for 1899, is hereby amended by inserting after the figures "1550" as they appear in the eleventh line from the top of page 298, (chapter 194) of the Wisconsin laws for 1899, the following: "or

1565c," so that said chapter 194 of the Wisconsin laws for 1899 when so amended shall read as follows: Section 1551 of the statutes for 1898, is hereby amended so as to read as follows: Section 1551. Upon complaint made to any justice of the peace, by any person that he knows or has good reason to believe, that an offense against any law of this state, relating to excise or the sale of intoxicating liquors, or any violation thereof has been committed, he shall examine the complaint on oath, and he shall reduce such complaint to writing, and cause the same to be subscribed by the person complaining. If it shall appear to such justice that there is reasonable cause to believe that such offense has been committed, he shall immediately issue his warrant, reciting therein the substance of such complaint and requiring the officer to whom such warrant shall be directed, forthwith to arrest the accused and bring him before such justice, to be dealt with according to law; and in the same warrant may require the officer to summon such persons as shall be named therein, to appear at the trial to give evidence. Or upon complaint made to any justice of the peace, by any person that he knows or has good reason to believe that an offense under section 1550 or 1565c statutes for 1898, has been committed by any person on any particular premises or place, he shall examine such complainant on oath, reduce his complaint to writing, describing therein as particularly as may be, the premises on which the offense complained of was committed, and cause the same to be subscribed by the person complaining. If it appear to such justice that there is probable cause to believe that there has been such offense committed on said premises, he shall immediately issue his warrant, reciting therein the substance of the complaint, and containing a description of the premises described therein, and requiring the officer to whom it shall be directed forthwith to search such premises and seize any liquors on said premises which he believes are intoxicating, and to arrest the accused and bring him before such justice, to be dealt with according to law, and to produce, to be used in evidence on the examination and trial of the accused, the liquors so seized, or such portion thereof as the court or district attorney may direct. The officer executing such warrant shall state in his return, as particularly as may be, the kinds and quantities of liquors seized and keep the same in his custody, until said action is finally determined.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 30, 1901.

No. 209, S.] [Published April 3, 1901.

CHAPTER 114.

AN ACT to amend section 4816a of the statutes of 1898, relating to the surrender of principal by sureties.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

When sureties deem themselves insecure on bond; hearing for discharge. SECTION 1. Amend section 4816a by striking out the words, "imprisonment in the state prison, shall, for any cause," where they occur in the third and fourth lines of said section, and by inserting in lieu thereof the following: "any law of this state," so that said section when so amended shall read as follows: Section 4816a. Whenever the sureties upon any bond or undertaking given by or on behalf of any person charged with an offense punishable by any law of this state, deem themselves insecure and desire to surrender their principal and be discharged from the obligations of such bond or undertaking, they may arrest and take into custody such principal wherever he may be found within this state and convey and deliver him into the custody of the officer having charge of the jail, prison or other place of confinement to which he shall have been committed, or in case he shall not have been so committed he may be surrendered into the custody of the officer who shall have had the custody of his person at the time he was admitted to bail. Such sureties shall also at the time of surrendering the principal deliver to the officer into whose custody he may be surrendered a certified copy of the original commitment, if any shall have been made, of the order admitting the principal to bail and of the bond or undertaking thereon, and the delivery of such copies to such officer shall be sufficient authority for him to receive and detain in custody the person of such principal until he shall be otherwise bailed or discharged therefrom by due course of law. Whenever such surrender shall be made to an officer not having the custody of the jail, prison or other place of confinement in which such principal is to be detained in custody it shall be the duty of such officer to forthwith convey such principal to the place of confinement used by the county in which the offense charged against him is triable, and he shall be received and detained therein as though he had been originally committed there. Upon such surrender and delivery of the principal into the

proper place of confinement the sureties may apply to the judge or justice having jurisdiction to try the offense charged against the principal, in vacation or otherwise, for an order discharging them from further liability as sureties; and, upon satisfactory proof being made that the provisions of this section have been complied with, such judge or justice may make an order so discharging them from all liability upon their bond or undertaking.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 30, 1901.

No. 210, S.] [Published April 3, 1901.

CHAPTER 115.

AN ACT to amend chapter 44, laws of 1897, entitled "an act to amend chapter 63, of the laws of the state of Wisconsin for the year 1895, entitled, "an act to create a municipal court for the county of Oneida."

The people of the State of Wisconsin represented in senate and assembly do enact as follows:

Jurisdiction of judge; criminal jurisdiction; rules of practice; court commissioner's powers granted. SECTION 1. Section 1 of chapter 44 of the general laws of 1897 entitled "an act to amend chapter 63, of the laws of the state of Wisconsin for the year 1895, entitled 'an act to create a municipal court for the county of Oneida,'" is hereby amended so that said section when so amended shall read as follows: Section 1. The municipal judge of the county of Oneida shall have cognizance of, and jurisdiction to hear, try and determine all actions and proceedings at law, wherein the amount of debt, damages, demand, penalty or forfeiture shall not exceed the sum of five hundred dollars, actions to recover the possession of personal property, with damages for the unlawful taking or detention thereof, wherein the value of the property claimed shall not exceed the sum of five hundred dollars. Said municipal judge shall have and exercise within said county the criminal jurisdiction of justices of the peace in the state of Wisconsin, and the justices of the peace of the city of Rhinelander, in said Oneida county, shall not have or exercise

any criminal jurisdiction whatever. Said judge shall further have all the jurisdiction, authority, powers and rights, given by law to justices of the peace, and shall be subject to the same prohibitions and penalties as justices of the peace. The proceedings and practice of said court shall, in all respects be governed as far as practicable, by the laws relating to justices' courts of this state, and transcripts of the judgments of the municipal court may be filed and docketed with the clerk of the circuit court for said county, with the same effect as transcripts of judgments rendered by justices of the peace of said county may be, and appeals, civil and criminal, from said court, may be taken in the same manner and with like effect as are provided by law from courts of justices of the peace. Nothing herein contained shall be construed to give said municipal judge cognizance of any actions mentioned in subdivisions 1, 2 and 3, of section 3573, of chapter 154, of the revised statutes. The municipal judge of Onieda county shall have and may exercise in his county, all the powers and perform all the duties of a court commissioner, as defined in section 2434, of the revised statutes; and every authority granted to, or limitation of the powers of a court commissioner by the laws of Wisconsin, shall be construed to extend to the said municipal judge, acting in such capacity, except when otherwise expressly provided. The official designation of said officer, in matters wherein he shall so act, shall be municipal judge of Oneida county.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 30, 1901.

No. 253, S.] [Published April 3, 1901.

CHAPTER 116.

AN ACT to amend chapter one of the laws of the territory of Wisconsin for 1847, entitled "An act to incorporate Lawrence Institute of Wisconsin and acts amendatory thereto.

The people of the State of Wisconsin represented in senate and assembly do enact as follows:

Names of incorporators; design and purpose of corporation.

SECTION 1. Chapter 1 of the general laws of the territory of

Wisconsin, of 1847; chapter 133, laws of 1849; chapter 176, private and local laws of 1855; chapter 126, private and local laws of 1858; chapter 123, general laws of 1878; chapter 16, general laws of 1882, and chapter 16, laws 1895, are hereby amended so as to read as follows: Gov. Henry Dodge, Hon. Mason C. Darling, Hon. Morgan L. Martin, Hon. Nathaniel P. Tallmadge, Prof. DeWitt C. Vosburg, Rev. Reeder Smith, Henry R. Colman, William H. Sampson, Henry S. Baird, Jacob L. Bean, William Dutcher, George E. H. Day, Loyal H. Jones, and their successors be, and they are hereby created a body politic and corporate to be styled the board of trustees of Lawrence University of Wisconsin and by that name to remain in perpetual succession. The design and purpose of the said corporation is hereby declared to be, to found, establish and maintain at Appleton, in the county of Outagamie, an institution of learning on a plan sufficiently extensive to afford instruction in the liberal arts and sciences and to develop the scholar; and said trustees may, as their ability shall increase, erect any or all of the different departments for the study of the liberal professions in such manner as they may think proper.

Number of trustees. SECTION 2. The board of trustees shall consist of thirty members, three of whom shall be elected on nomination of the alumni, together with the president of the university, who shall be a member ex-officio, and any thirteen of these shall constitute a quorum for the transaction of all business.

Religion no bar to privileges. SECTION 3. No religious tenets or opinions shall be required as a qualification for trustee, professor, or teacher, nor of any student shall any religious tenets or opinions be required to entitle him to all the privileges of the institution.

Trustees to elect officers. SECTION 4. The board of trustees shall at their first meeting after the passage of this act elect a president of the board, two vice-presidents, a secretary, and treasurer, who shall have all the powers usually given to such officers.

Trustees to be divided into classes. SECTION 5. The board of trustees shall at their first business meeting be divided into three classes of ten each. They shall appoint at such meeting, an annual meeting to be held within one year thereafter, at which time the office of the first class shall expire, and in one year from that time the second class, and the third class in one year therefrom, and the office of one class of trustees to expire

annually thereafter in rotation. There shall be a board of visitors, whose election shall be provided for in the by-laws, whose special duty shall be to inspect the work of the institution, attend the examinations, and look into the condition generally and make such reports as may be required by the by-laws. The members of the board of visitors shall be ex-officio members of the board of trustees.

Special meetings. SECTION 6. Said board of trustees may meet on their own adjournment, and the president, with the concurrence of two trustees, or any four trustees, may call special meetings of the board, by giving notice to them in writing by mail or otherwise, at least ten days before the time of such meeting, and any trustee may be removed for neglect of duty.

Executive committee how appointed; powers of. SECTION 7. Said board of trustees shall also appoint annually an executive committee of not less than five nor more than nine, who shall hold their office until their successors are appointed, and who shall have the power to execute all the business of the corporation committed to them by the by-laws of the institution, and who shall also be empowered to commence and carry on suits in the name of the trustees of the university, and no person shall be ex-officio a member of said executive committee.

Powers of trustees. SECTION 8. The board of trustees shall have full power, in their corporate name to sue and to be sued, to plead and be impleaded to, to acquire, hold, use and convey property, real and personal; to have and use a common seal; to alter and renew the same at pleasure; to make and alter from time to time such by-laws as they may deem necessary for the government of the institution, its officers and servants; to collect and receive funds and to see that every donation or bequest made to the institution be applied in conformity to the condition on which the same is made; to erect suitable buildings, purchase books apparatus and other supplies necessary in the work of the institution; to hold free of taxation any lands or other property acquired by donation, bequest, or purchase and held expressly for educational purposes, and for the endowment of the institution; to appoint such officers, professors and teachers as the work and government of the institution shall require, and prescribe their duties and remove them for sufficient reasons; to prescribe and direct the course of studies to be pursued in the institution and its departments; to fill all vacancies; to confer such degrees and other honors upon persons they may deem qualified and worthy as are usually conferred by colleges in the United States; to determine the amount of salaries paid or to be paid by

the institution; and to have such further general powers not herein specified, and not inconsistent with the letter or spirit of this act, as are granted to corporations, by the statutes of 1898.

Conflicting laws repealed. SECTION 9. All acts or parts of acts interfering with the provisions of this act are hereby repealed.

SECTION 10. This act shall take effect and be in force from and after its passage and publication.

Approved March 30, 1901.

No. 343, A.] [Published April 3, 1901.

CHAPTER 117.

AN ACT relating to the adoption of children, and adding a new section to the statutes of 1898 to be numbered 4024a.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Subsequent adoption of child. SECTION 1. A new section is hereby added to the statutes of 1898 to be numbered and read as follows: Section 4024a. A subsequent adoption is authorized by this chapter and in such case the word father, mother or parent, includes adopted father, mother or parent.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 30, 1901.

No. 397, S.] [Published April 3, 1901.

CHAPTER 118.

AN ACT to amend section 347b of the statutes of 1898 in relation to publication of the supreme court reports.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Year for advertising changed. SECTION 1. The last sentence of section 347b of the Wisconsin statutes of 1898 is hereby amended by substituting the figures 1902 for the figures 1901 where the same occur in said sentence so that said last sentence when so amended shall read as follows: "The commissioners of public printing shall, commencing in the first week in April, 1902, and every eight years thereafter, advertise in six different papers in different localities in this state, for the term of six weeks, that sealed proposals will be received at the office of the secretary of state for printing, publishing and selling, as in this chapter provided, the said reports for the term of eight years next thereafter, at a certain rate per volume, to be stated in proposals, not exceeding the maximum price fixed by this chapter, and in accordance with the provisions of this chapter."

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 30, 1901.

No. 591, A.] [Published April 3, 1901.

CHAPTER 119.

AN ACT to amend subdivision 4, section 468, chapter 27 of the statutes of 1898, relating to the duties of town treasurers in making certain reports to school district clerks.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Treasurer to report amount of money paid annually. SECTION 1. Sub-division 4, section 468, chapter 27 of the statutes of 1898

is hereby amended by striking out the word "last" where it occurs in the first line and substituting therefor the word "second" in order that said subdivision when so amended shall read as follows: 4. On the second Monday of June in each year, to make and forward to the clerk of each school district, in whole or in part in his town, a certified statement of the amount of money paid by the town treasurer during the year next preceding to such district treasurer, specifying the date and amount of and the account upon which each such payment was made.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved March 30, 1901.

No. 182, S.] [Published April 3, 1901.

CHAPTER 120.

AN ACT legalizing the acts of H. P. Clute as state veterinarian.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Term legalized. SECTION 1. All acts performed by H. P. Clute in the attempted exercise of the duties of state veterinarian between January twenty-ninth and February eighth in the year 1901, are hereby legalized, ratified and confirmed.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 30, 1901.

No. 384, A.] [Published April 5, 1901.

CHAPTER 121.

AN ACT to amend section 3187a of the Wisconsin statutes of 1898, relating to proceedings to take lands for highways and other purposes.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

To file notice of pendency of application. SECTION 3187a of the Wisconsin statutes of 1898 is hereby amended by striking out the words, "or town board," in the third line of said section, and by inserting the word "or" before the words "village board" next preceding, so that said section when amended shall read as follows: Section 3187a. Every person who makes an application to any court, county board, common council, or village board for laying out, widening, extending or vacating any street, alley, water channel, park, highway or other public place shall, at or prior to the time of filing the same with the proper officer, file a notice of the pendency of such application, containing his name and a brief statement of the object thereof and a map and description of the land to be affected thereby in the office of the register of deeds of each county in which any such land is situated. Neglect to comply with these provisions shall render all proceedings based upon such application void. No final order, judgment or decree or final resolution or order taking or affecting such land, based upon any application therefor, shall have any effect or be notice to any subsequent purchaser or incumbrancer unless a certified copy thereof, giving a full and accurate description of the land affected thereby, and accompanied with a map showing the location thereof, be recorded in the office of the register of deeds of the county in which the land is situated. A certified copy of any resolution or order made by any such body, whereby any land shall be taken or affected without an application having been made therefor, shall have no effect and shall not be notice to any subsequent purchaser or incumbrancer unless such resolution or order be recorded.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 1, 1901.

No. 24, A.] [Published April 5, 1901

CHAPTER 122.

AN ACT to amend section 3, chapter 211 of laws of 1897, relating to the construction and maintenance of dams on the Rat river in Forest county, so as to authorize the taking by purchase, lease or condemnation proceedings of all lands overflowed by or necessary to the maintenance of such dams.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Flowage rights to be acquired by condemnation proceedings. SECTION 1. Section 3 of chapter 211 of the laws of Wisconsin for 1897, is hereby amended so as to read as follows: Section 3. The said William Fellows, his associates and assigns, are also authorized and empowered to take and overflow all such lands as may be necessary for keeping up and maintaining such dams, for the purposes aforesaid, and to acquire title to such lands, for such purpose, by purchase or lease; but in case the said William Fellows, his associates and assigns, cannot agree with the owner or owners of any such lands required by them for the purchase, lease or use thereof, or of the right of flowage thereof, or as to the compensation to be made for taking or flowing any such lands, for such purpose as aforesaid, then they, the said William Fellows, his associates and assigns, may acquire the same by proceedings for condemnation, in the manner provided and set forth in sections 1777 to 1777d, inclusive, of the Wisconsin statutes of 1898, the provisions of which said sections are hereby made applicable for the purpose of acquiring such lands and rights of flowage.

Application of act. SECTION 2. This act shall take effect and be in force, from and after its passage and publication, and shall have application to any such dam or dams heretofore built, lands heretofore taken or overflowed, or improvements heretofore made, as well as to such dam or dams hereafter constructed, lands hereafter taken or overflowed and improvements hereafter made.

Approved April 1, 1901.

No. 97, A.] [Published April 5, 1901.

CHAPTER 123.

AN ACT to amend chapter 129, laws of 1899, relating to the investment of trust funds.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Length of loan; interest on and limitation of. SECTION 1. Section 261, of the Wisconsin statutes of 1898, as amended by chapter 129, laws of 1899, is hereby amended, so that said section when so amended shall read as follows: Section 261. Every loan to a school district may be made for such time, not exceeding fifteen years, and of such amount as together with all other indebtedness of such district, shall not exceed five per centum of the last preceding assessed valuation of the real property in such district, and not exceeding in any case twenty-five thousand dollars, as may be agreed upon; the principal shall be payable in equal annual installments from a time fixed by said commissioners, with interest at the uniform rate of three and one-half per centum per annum, payable annually. No such loan shall be made until proof be filed in the office of said commissioners of the complete performance on the part of such district of each and every act hereinafter required to precede the same.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 1, 1901.

No. 256, A.] [Published April 5, 1901.

CHAPTER 124.

AN ACT to confer upon the judge of the district court in any county, having a district court, which is a court of record, the same powers as are conferred by chapter 32 of the Wisconsin statutes of 1898 upon county judges in their respective counties, as to the examination of persons alleged to be insane, and the commitment of persons adjudged to be insane to the hospital or asylum.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Jurisdiction of district judge as to examinations for insanity. SECTION 1. There is hereby conferred upon the judge of the district court in any county having a district court, which is a court of record, the same powers in respect to the examination of persons in such county alleged to be insane, and the commitment of persons adjudged to be insane, to the hospital or asylum, as is conferred by chapter 32 of the Wisconsin statutes of 1898 upon the county judges in their respective counties. Such cases before said district judge shall be conducted in accordance with the procedure prescribed by law in similar cases before county judges.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 1, 1901.

No. 147, A.] [Published April 5, 1901.

CHAPTER 125.

AN ACT to provide for a memorial hall in honor of Wisconsin soldiers and sailors who served in the army or navy of the United States in the civil war of 1861 to 1865 or any subsequent war, and to provide for a suitable place or places for the care of relics and mementoes of said wars and making an appropriation therefor. And providing for the return of battle flags to the capitol building.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Location of hall. SECTION 1. It shall be the duty of the superintendent of public property, to provide rooms 204, 205 and 207 in the capitol building, and properly prepare them for the purpose of a memorial hall dedicated to the soldiers and sailors who served in Wisconsin regiments in the civil war of 1861 to 1865, or any subsequent wars.

Purpose of. SECTION 2. Said rooms when so set aside for the purpose indicated, shall be the headquarters of the grand army of the republic, department of Wisconsin, and the offices of the department commander, assistant adjutant general and assistant quartermaster general of the grand army of the republic, department of Wisconsin, shall be in said rooms.

Cases for relics and mementoes. SECTION 3. The superintendent of public property shall provide in said rooms 204, 205 and 207, suitable cases and places where all relics and mementoes of said wars may be placed by any one who may wish to do so, and the officials of the grand army of the republic shall exercise due care and diligence in the care and preservation of all articles placed therein.

Stationery for G. A. R. headquarters. SECTION 4. The superintendent of public property shall furnish, at expense of the state, all stationery, pens, ink, printing, and other supplies necessary for the proper use of the headquarters of the grand army of the republic, on proper vouchers of the quartermaster general of the grand army of the republic.

Janitor to be old soldier. SECTION 5. A janitor, who shall be an ex-soldier or sailor, shall be appointed by the governor, whose

duty shall be to take proper care of said rooms when they shall be so set aside for the purpose indicated, the salary of said janitor to be paid by the state.

Cases for flag in rotunda. SECTION 6. The superintendent of public property shall at expense of the state, provide suitable air tight cases with plate glass fronts and place them in the rotunda of the capitol building, and all flags and banners carried by Wisconsin soldiers or sailors or used by them in any of said wars shall be placed in said cases, and each flag or banner be labeled and a succinct history be printed and placed on each flag or banner in such manner as to be plainly seen and read and the cases then to be hermetically sealed.

Appropriation. SECTION 7. The sum of fifteen hundred dollars, or so much of said sum as may be necessary, is hereby appropriated to carry out the provisions of this act.

Contravening laws repealed. SECTION 8. All laws in contravention of this act, are hereby repealed.

SECTION 9. This act shall take effect and be in force, from and after its passage and publication.

Approved April 1, 1901.

No. 272, A.] [Published April 5 ,1901.

CHAPTER 126.

AN ACT relating to fees of sheriffs for services outside of this state.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Per diem allowed sheriff. SECTION 1. In all cases where by the laws of this state the governor thereof is authorized to demand of the executive authority of any other state, any fugitive from justice or any person charged with felony or any other crime in this state, and appoint an agent to receive the same, and such fugitive from justice or person charged with felony or other crime, is apprehended in any other state, by the sheriff or deputy sheriff of the county in this state, where the warrant for

such fugitive from justice is properly issued, or such felony or other crime committed, and such fugitive from justice voluntarily returns with said sheriff to this state without requisition, such sheriff shall be entitled to the same fees as an agent of the governor appointed to receive such fugitive in cases of requisition, namely eight dollars per day for the time necessarily expended in traveling to, apprehending and returning with such fugitive, and his actual and necessary expenses for such time, which compensation and expenses shall be allowed by the county board of such county upon the presentation thereto of an itemized and verified account, stating the number of days he was engaged, the number of miles traveled and each item of expense incurred in rendering such services, including the transportation and board of such fugitive from justice. No allowance whatever shall be made him as mileage.

No fee unless apprehension is authorized by district attorney. SECTION 2. No sheriff of this state shall receive the compensation for the apprehension and voluntary return of fugitives from justice as provided in section 1 of this act, unless such apprehension shall have been duly authorized in writing by the district attorney of the county where the felony or other crime was committed, which written authority shall further certify that the ends of justice will be subserved by the apprehension and return of such fugitive, and such certificate shall be by such sheriff attached to and filed with his itemized account of such services.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved April 1, 1901.

No. 305, A.] [Published April 5, 1901.

CHAPTER 127.

AN ACT authorizing the commissioners of public lands to sell certain lands in Buffalo county belonging to the state of Wisconsin.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Description of lands to be conveyed. SECTION 1. The commissioners of public lands are hereby authorized, instructed and directed, to sell and convey to Andrew Wilhelm, of Buffalo county, Wisconsin, at the price of one dollar and twenty-five cents per acre, the following described land, situate in Buffalo county, Wisconsin, to-wit: The south half of the northeast quarter of section number twenty-six, township twenty-three north, of range number fourteen west.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 1, 1901.

No. 302, A.] [Published April 5, 1901.

CHAPTER 128.

AN ACT to provide fishways in dams, booms, piers and other obstructions on the Yellow river in the counties of Wood and Juneau in the state of Wisconsin.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Fishways to be maintained in all obstructions. SECTION 1. It shall be the duty of all and every person, persons or corporation owning, managing, occupying or having in charge any dam, boom, pier or other obstruction of any kind whatsoever,

in, on or across the stream in Wood and Juneau counties in the state of Wisconsin, known as the Yellow river, to construct and maintain in or upon such dam, boom, pier or other obstruction a good and sufficient fishway which will permit the certain and easy passage of fish up and down said Yellow river, and upon and according to plans which shall be prepared or approved by the board known as the commissioners of fisheries of the state of Wisconsin, and as defined in chapter 62 of the statutes of 1898.

Fishways to be kept in repair. SECTION 2. It shall be the duty of all and every such person, persons or corporation owning, managing, occupying or having in charge any such dam, boom, pier or other obstruction in or on said Yellow river as aforesaid, to keep and maintain such fishway in good repair and open for the easy and free passage of fish up and down said river, from the first day of March until the first day of June, next ensuing in each and every year after said fishways are built.

When to be constructed. SECTION 3. The said fishways shall be constructed as aforesaid within three months after said owner, occupant, manager or person or persons having the charge or control of any such dam, boom, pier or other obstruction, shall have been notified in writing by the board known as the commissioners of fisheries of the state of Wisconsin, to build or construct said fishway or fishways and prescribing the location thereof with reasonable certainty.

Fish commission to furnish plans. SECTION 4. It shall be the duty of the state board of the commissioners of fisheries to furnish, free of expense, to any person or corporation applying for the same, a plan for a fishway in any dam, boom, pier or other obstruction being now in, on or across said Yellow river or which may hereafter be constructed on or therein. And said board shall between the first day of April and the first day of June next ensuing, in each year, cause all such dams, booms, piers or other obstructions to be examined and cause complaint in the proper court to be made against any person or persons or corporation violating the provisions of this act.

Penalty for failure to maintain. SECTION 5. Any person, persons or corporation who shall neglect or refuse to construct, maintain or keep in repair or keep open a fishway in such manner as to permit of the certain and easy passage of fish up and down said Yellow river and as required by the provisions of this act, shall forfeit unto the state of Wisconsin not less than

twenty-five dollars nor more than one hundred dollars for each such violation of the provisions of this act in addition to all costs of suit, the same to be recovered in a civil action brought in the name of the state of Wisconsin by the state fish and game warden or one of his deputies.

Conflicting laws repealed. SECTION 6. All laws, acts or parts of acts in conflict or inconsistent with the provisions of this act are hereby repealed.

SECTION 7. This act shall take effect and be in force, from and after its passage and publication.

Approved April 1, 1901.

No. 455, A.] [Published April 5, 1901.

CHAPTER 129.

AN ACT to amend section 3223 of Wisconsin statutes of 1898, relating to the enforcement of liabilities against officers and stockholders of corporations.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Remedies given not to be construed as exclusive. SECTION 1. Section 3223 of the Wisconsin statutes of 1898 is hereby amended by adding to the end thereof the following: Provided that no remedy given in this chapter shall be construed to be exclusive, so as to preclude the enforcement of any liability herein mentioned in an additional action or actions if there are parties or property that can not be reached by the first action or judgment.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 1, 1901.

No. 391, A.] [Published April 5, 1901.

CHAPTER 130.

AN ACT to amend section 1 of chapter 58 of the laws of 1899 entitled, "An act to amend chapter 186 laws of 1897 entitled, 'An act relating to school boards and common and high schools in cities of the first class.' "

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

When school board shall report; levy of tax; disposition of tax; how disbursed. SECTION 1. Section 1 of chapter 58 laws of 1899 entitled, "An act to amend chapter 186 laws of 1897 entitled, 'An act relating to school boards and common and high schools in cities of the first class containing a population of one hundred and fifty thousand or more,' " is hereby amended so as to read as follows: Section 1. Section 16 of chapter 186 of the laws of 1897 approved April 8 1897 is hereby amended so as to read as follows: Section 16. The said board shall report to the common council of each city under this act, at or before the first meeting of the council in September in each year, the amount of money required for the next fiscal year for the support of all the public schools, including high schools, in said city; and it shall be the duty of said common council to levy and collect a tax, not exceeding three and one-half mills upon the dollar, of the total assessed valuation of all property, real and personal, in such city, subject to taxation, in addition to the tax to be levied for general city purposes, upon all the taxable property of said city, at the same time and in the same manner as other taxes are levied and collected by law, which, with the other funds provided by law and placed at the disposal of such city for the same purpose, shall be equal to the amount of money so required by said board for the support of said schools. The said tax and the entire school fund of the city shall not be used or appropriated, directly or indirectly, for any other purposes than the payment of the salaries of the superintendent of schools and his legally authorized assistants, the secretary of the school board, the legally qualified teachers whose appointments are confirmed by said board, and such other employes as the board may deem necessary, and the necessary and current expenses of the schools, including the purchase of school supplies, apparatus, fuel, gas, electricity or electrical power. All moneys

received by or raised in such city for school purposes, shall be paid over to the city treasurer, to be disbursed by him on orders of the president and secretary of said board, countersigned by the city comptroller; provided that the president, instead of signing each order, may certify upon the pay rolls, furnished by the secretary to the comptroller, to the facts that the amounts therein are correct as allowed by said board. Provided that the board of school directors may provide by resolution for the payment of all persons employed by said board in the service of the city upon monthly pay rolls and the manner in which the same shall be certified, audited and approved and payment made thereon, and such pay rolls shall in all cases be certified by the president and secretary and the finance committee of said board of school directors and countersigned by the city comptroller of such city.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 1, 1901.

No. 61, A.] [Published April 5, 1901.

CHAPTER 131.

AN ACT to authorize cities of the first and second class to acquire the use of lands for bridge, viaduct and highway purposes beyond the corporate limits of such city.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Land, how acquired; by grant or conveyance. SECTION 1. Whenever the common council of any city of the first or second class in this state, as classified by the Wisconsin statutes of 1898, shall with the concurrence of three-fourths of the members elect thereof, declare by resolution that it is necessary for the public interest to cause a bridge or viaduct to be constructed or to open, widen or extend any street or highway, along the corporate boundary of such city, and that for such purpose or either of such purposes it will be necessary to take or acquire a strip of land, not exceeding one hundred feet in width, adjoining the boundary line of such city beyond the corporate limits,

the said common council shall have the same authority to take and acquire the use of such lands for such purposes, by proceeding in all respects in relation to such taking and acquiring of such use as is provided by the charter of such city for the taking and acquiring of use of lands without or beyond the limits of such city for other purposes. Provided however, that such city, in addition to the power to acquire the use of such lands for the purposes named herein and in the manner herein provided, may also acquire the use of any such lands by grant, or conveyance by deed, in all cases where the terms of purchase shall be agreed upon between such city and the owners of such lands.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 1, 1901.

No. 247, A.] [Published April 5, 1901.

CHAPTER 132.

AN ACT relating to streets and alleys in cities and villages and to provide a statute of limitations in respect thereto.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Statute of limitations made five years. SECTION 1. Any and every street, highway and alley heretofore or hereafter dedicated or attempted and intended to be dedicated in any plat, or laid out, altered, changed, vacated or discontinued, or attempted or intended to be laid out, altered, changed, vacated or discontinued by the authorities of any town, city or village in this state, shall be taken and held to have been lawfully so dedicated, laid out, altered, changed, vacated or discontinued, as the case may be, from and after the expiration of five years from the date of the deed, instrument, plat, order, resolution or other final proceeding had or taken to effectuate such purpose.

Irregularities in laying out not to affect, after. SECTION 2. No defect, irregularity, omission or informality in the execution of any plat or deed of dedication or in any proceedings, order or

resolution on the part of the authorities of any town, city or village, whether formal or jurisdictional, for the purposes aforesaid, heretofore made or taken or hereafter to be made or taken, shall affect or invalidate such plat, deed, order or resolution or proceeding, after the expiration of five years from the date of such plat, deed, proceeding, order or resolution; provided however, that the street or alley laid out, altered or changed by such defective, irregular or informal plat, deed, proceeding, order or resolution, shall be limited in length to the portion actually worked and used thereunder.

Effect of act. SECTION 3. Nothing herein contained shall be taken to change existing requirements of law with reference to streets, alleys or ways by adverse possession or implied dedication.

Conflicting laws repealed. SECTION 4. All laws or parts of laws in conflict with the provisions of this act are hereby repealed.

SECTION 5. This act shall take effect and be in force, from and after sixty days after its passage and publication.

Approved April 1, 1901.

No. 609, A.] [Published April 5, 1901.

CHAPTER 133.*

AN ACT to amend section 2424 of the Wisconsin statutes of 1898 relating to circuit courts and the terms thereof.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Date of commencement of terms; special terms. SECTION 1. Section 2424 of the statutes of 1898 is hereby amended by striking out in the first line of the paragraph or part of said section relating to terms of court in the eighth judicial circuit the word "fourth," and by inserting in lieu thereof the word "third," so that said paragraph or part of said section when so amended shall read as follows: Eighth Circuit. In the county of Buffalo

*See chapter 395.

on the third Monday in February and the fourth Monday in October; in the county of Dunn on the second Monday in March and the second Monday in September; in the county of St. Croix on the fourth Monday in March and the fourth Monday in September; in the county of Pepin on the third Monday in April and the third Monday in October; in the county of Pierce on the Tuesday following the second Monday in June and the Tuesday following the second Monday in December. The judge of said circuit may appoint by order to be filed in the office of the clerk of the circuit court for each county therein, four special terms in each year at such times and places as he shall deem necessary and proper. Said order shall be filed at least four weeks before the time therein appointed for holding any such term, and the time of holding the same may be changed in like manner. At terms so appointed and held any and all business, except the trial of issues of fact by a jury, may be transacted.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 1, 1901.

No. 87, A.] [Published April 5, 1901.

CHAPTER 134.

AN ACT to amend section 2450 of chapter 114 of the Wisconsin statutes of 1898 as amended by chapter 49 of the laws of 1899 relating to county courts.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Holding court in another county; compensation. SECTION 1. Section 2450 of chapter 114 of the Wisconsin statutes of 1898, as amended by chapter 49 of the laws of 1899, is hereby amended so as to read as follows: Section 2450. The county judges may perform all official duties of county judges, including holding court in any county other than the one in which they shall have been elected, upon the request of the county judge of such other county, and while so doing they shall have the same powers as if elected for the county in which they are acting. Whenever

any county judge, pursuant to this section, shall hold court or perform any other duty hereunder, in any county other than that for which he was elected, he shall receive his actual expenses, to be audited and paid by the county board of the county in which he so acts.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 1, 1901.

No. 303, A.] [Published April 5, 1901.

CHAPTER 135.

AN ACT amending section 925—95 and section 925—95a of the Wisconsin statutes of 1898, relating to water works and lighting.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Works, how operated. SECTION 1. Section 925—95 of the Wisconsin statutes of 1898 is hereby amended so as to read as follows: Section 925—95. In cities which own a lighting plant or water works, or both, such lighting plant or water works, or both, may be operated under the direction of the board of public works or by a commission, to be determined by ordinance of the common council, to consist of the mayor, three citizens, and one alderman to be appointed by the mayor.

Three citizens of commission, how elected. SECTION 2. Section 925—95a of the Wisconsin statutes of 1898 is hereby amended by striking out the word "water" in the second line so that said section when so amended, shall read as follows. Section 925—95a. The common council of any city which shall have determined to have a commission as provided in the foregoing section, shall at the first regular meeting of the council thereafter, elect by ballot, by a majority, three citizens whose terms of office shall expire on the first Tuesday of October, one in the year of his election, one in the year following the year of his election, and one in the second year following the year of his

election, and thereafter, at the expiration of the term of each commissioner, one shall be elected by the council each year on the first Tuesday of October for a term of three years and until his successor is elected and qualified.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved April 1, 1901.

No. 93, S.] [Published April 6, 1901.

CHAPTER 136.

AN ACT to provide for the manner of changing names of persons, and for the registry of names.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Declaration, what to contain, where filed. SECTION 1. Any person desiring to alter or change his, or her, name may do so by filing with the register of deeds of the county in which he resides a declaration setting forth substantially as follows: First. His name or names usually used and known at the time of declaration, with his place of residence, giving street and house number if he, or she, resides in a town where houses are numbered. Second. His age, place of birth, and, if of foreign birth, the time he or she came to this country, and approximately the length of time he or she has resided in each place. Third. Briefly and concisely the object and purpose of the alteration or change of name, for example, too many of the same name and other explanations may be given. Fourth. The name as changed or adopted.

How acknowledged. SECTION 2. Such declaration shall be signed and sealed in the presence of at least two subscribing witnesses and shall be acknowledged before an officer authorized to take acknowledgment of deeds of conveyance of real estate, and the acknowledgment shall be substantially in the same form as the acknowledgment of deeds.

Effect of filing. SECTION 3. The declaration thus made when filed in the office of the register of deeds of the county

in which the party making the declaration resides and the new name, shall then be the name of the party making the declaration, provided that no person shall change his name more than once under the provisions of this act.

Duty of register of deeds; fee. SECTION 4. It shall be the duty of the register of deeds to number consecutively all declarations filed in his office and to index both the old and the new names of the declarators, so that the declarations may easily be found and referred to under both the old and the new names. Such index must show, besides the names and the number of the declaration, also the date of filing, the post office address of the declarator opposite both the old and new names. For filing and indexing the register of deeds shall be entitled to fifty cents for each declaration, to be paid by the person presenting the same. Upon demand and the payment of fifty cents the register of deeds shall deliver to any person who may apply therefor, a certified copy of such declaration; and such certified copy may be filed in the office of the register of deeds of any other county in the state upon the payment of a like fee of fifty cents.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved April 1, 1901.

No. 76, S.] [Published April 6, 1901.

CHAPTER 137.

AN ACT to correct an error in section 4978 in the statutes of 1898, respecting chapter 38 of the laws of 1897 entitled "An act to amend chapter 152 of the laws of 1852, entitled, 'An act to incorporate the Milwaukee orphans' asylum, as amended by chapter 10 of the private and local laws of 1861, entitled, et cetera, and to declare the effect thereof.' "

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Chapter 38 stricken out. SECTION 1. Section 4978 of the Wisconsin statutes of 1898 is hereby amended by striking out

the figures "38" where the same occur in the first line of the last paragraph thereof under the heading of "1897," reference being thereby made to chapter 38 of the laws of 1897; said chapter 38 having been therein inserted by a clerical error or mistake, and it manifestly not having been the intent, of either the revisors or of the legislature, by said section 4978 or otherwise, to repeal said chapter.

Chapter 38 declared to have been in full force and effect. SECTION 2. Chapter 38 of the laws of 1897, having been erroneously included among the acts enumerated under section 4978 of the Wisconsin statutes of 1898, is hereby declared to have remained and to be and remain in full force and effect notwithstanding such erroneous enumeration thereof under said section 4978 of the Wisconsin statutes of 1898.

Chapter 38 to be in full force and effect. SECTION 3. Chapter 38 of the laws of 1897, having been erroneously included among the acts enumerated under section 4978 of the Wisconsin statutes of 1898, is and shall hereafter be in full force and effect notwithstanding said section 4978 of the Wisconsin statutes of 1898.

SECTION 4. This act shall take effect from and after its passage and publication.

Approved April 1, 1901.

No. 107, S.] [Published April 2, 1901.

CHAPTER 138.*

AN ACT to amend section 170, chapter 12, of statutes of 1898, and to provide for payment of reasonable salaries to justices of the supreme court and circuit judges, and for certain expenses of the latter.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Increase in salary. SECTION 1. Section 170, chapter 12, of the statutes of 1898 is hereby amended by striking out the

*See chapter 414.

word "five" where the same appears in the ninety-second line of said section, and inserting in lieu thereof the word "six," so that said line when amended shall read as follows: "The justices of the supreme court six thousand dollars each," and further amend said section by striking out the words "three thousand six hundred" where the same occurs in the ninety-third line of said section, and inserting in lieu thereof the words "four thousand," so that said line when amended shall read as follows: "The judges of the circuit court four thousand dollars each."

When effective. SECTION 2. The increase of salaries hereby provided for shall be paid only to justices and judges of said courts hereafter to be chosen, and for term of office hereafter to commence. Justices and judges now in office shall be paid during the remainder of their present terms, respectively, the same salaries and allowances for expenses, if any, that they now receive.

Conflicting laws repealed. SECTION 3. All acts and parts of acts which in any way conflict with the provisions of this act, are hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 2, 1901.

No. 293, S.] [Published April 10, 1901.

CHAPTER 139.

AN ACT to prevent the mutilation of horses by docking.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Penalty for docking. SECTION 1. Whoever shall cut the solid portion of the tail of any horse in the operation known as docking or by any other operation performed for the purpose of shortening the tail, or whoever shall cause the same to be done, or assist in doing such cutting, shall be punished by a fine of no less than one hundred dollars nor more than two hun-

dred fifty dollars, or by imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 6, 1901.

No. 97, S.] [Published April 10, 1901.

CHAPTER 140.

AN ACT to amend chapter 84a of the statutes of 1898 of miscellaneous provisions, relating to labels and trade marks.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Suit to enjoin use of trade mark may be brought and injunction issue. SECTION 1. Chapter 84a of the statutes of 1898 is hereby amended by adding a new section after section 1747d, to be known as section 1747dd, which section shall read as follows: Section 1747dd. Every person, association or union adopting or using a label, trade mark, term, design, device or form of advertisement as provided in section 1747a, may proceed by suit to enjoin the manufacture, use, display or sale of any counterfeits or imitations thereof, and courts of competent jurisdiction shall grant injunctions to restrain such manufacture, use, display or sale, and may award the complainant damages resulting from such manufacture, use, sale or display as may be deemed just and reasonable by said court, including all profits derived from such wrongful manufacture, use, display or sale; such court shall also order that all such counterfeits or imitations in the possession or under the control of any defendant be delivered to an officer of the court to be destroyed. In case such association or union is not incorporated, such actions may be commenced and prosecuted by an officer or member of such association or union on behalf of and for the use of such association or union.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 6, 1901.

No. 18, S.] [Published April 10, 1901.

CHAPTER 141.

AN ACT relating to the professor of military science and tactics in colleges, university and other institutions in the state.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

To rank of colonel of infantry. SECTION 1. The governor of the state may commission any retired United States army officer who holds the position of professor of military science and tactics in the state university, or at any seminary or college within this state maintaining military instruction and drill in its course of study, and having not less than one hundred students on its drill-roll at any one term, to the rank of colonel of infantry; said commission, however, shall not entitle such professor of military science and tactics to command in the state militia.

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved April 6, 1901.

No. 92, S.] [Published April 10, 1901.

CHAPTER 142.

AN ACT to prevent and punish the desecration of the flag of the United States.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Prohibited words, or device, on flag; representations of flags. SECTION 1. Any person who in any manner, for exhibition, or display, shall place, or cause to be placed, any words, or figures, or numbers, or marks, or inscriptions, or picture, or design, or device, or symbol, or token, or notice, or drawing, or any advertisement of any nature whatever, upon any flag, standard,

color, or ensign, of the United States, or shall expose or cause to be exposed to public view any such flag, standard, color, or ensign of the United States, upon which shall be printed, painted, or otherwise placed, or to which shall be attached, appended, affixed, or annexed, any words, or figures, or numbers, or marks or inscriptions, or pictures, or design, or device, or symbol, or token, or notice, or drawing, or any advertisement of any nature or kind whatever, or who shall expose to public view, or shall manufacture or sell, or expose for sale, or have in possession for sale, or for use, any article or thing, or substance, being an article of merchandise, or a receptacle of merchandise, upon which shall have been printed, painted, or attached, or otherwise placed, a representation of any such flag, standard, color, or ensign, of the United States, to advertise, or call attention to, or to decorate, or to ornament, or to mark, or to distinguish the article, or thing, on which so placed, or shall publicly mutilate, trample upon, or publicly deface, or defy, or defile, or cast contempt, either by words or act, upon any such flag, standard, color, or ensign, of the United States shall be deemed guilty of a misdemeanor.

Word flag defined. SECTION 2. The words flag, standard, color, or ensign, of the United States as used in this act shall include any flag, any standard, any color, any ensign, or any representation, of a flag, standard, color, or ensign, or a picture of a flag, standard, color, or ensign, made of any substance whatever, or represented on any substance whatever, and of any size whatever, evidently purporting to be, either of, said flag standard, color, or ensign, of the United States, or a picture, or a representation, of either thereof, upon which shall be shown the colors, the stars and the stripes, in any number, of either thereof, or by which the person seeing the same, without deliberation may believe the same to represent the flag, or the colors, or the standard, or the ensign, of the United States of America.

Exemptions. SECTION 3. This act shall not apply to any act permitted by the statutes of the United States or by the United States army and navy regulations, nor shall this act be construed to apply to the regular issue of a newspaper or other periodical, on which shall be printed said flag disconnected from any advertisement.

Penalty. SECTION 4. Any person who shall violate any provisions of this act shall, upon conviction thereof, be deemed guilty of a misdemeanor, and shall be fined not less than ten nor more than one hundred dollars, with costs of prosecution,

and in default of payment of said fine and costs, shall be committed to the county jail not to exceed thirty days.

SECTION 5. This act shall take effect and be in force from and after January first, 1902.

Approved April 6, 1901.

No. 228, S.] [Published April 10, 1901.

CHAPTER 143.

AN ACT to authorize cities to acquire light or water works and issue bonds therefor and amending chapter 348 of the laws of Wisconsin for the year 1899 entitled An act to authorize cities and villages to acquire water works and issue bonds therefor.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Third and fourth class cities may buy light plants. SECTION 1. Section 1 of chapter 348 of the laws of Wisconsin for the year 1899 is hereby amended by inserting after the word "build" in the second line thereof the words "light or" and by inserting after the word "with" in the fourth line thereof the words "light or with," so that said section when amended shall read as follows: "Section 1. Cities of the third and fourth class are hereby authorized to purchase or build light or water works to supply such cities and the inhabitants thereof with light or with water for fire or domestic purposes or both."

Question to be submitted to electors; canvass of votes. SECTION 2. Section 2 of chapter 348 of the laws of Wisconsin for the year 1899 is hereby amended by inserting before the word "water" in the second, eighth, eleventh and thirteenth lines thereof the words "light or," so that said section when amended shall read as follows: "Section 2. Before proceeding with the purchase or building of such light or water works the common council of such city shall by resolution passed and signed in the same manner as other resolutions are passed and signed, submit at any municipal or special election to the electors of such city, the question of the purchase or building of such light

or water works, and such electors shall vote upon such question on a separate ballot, which shall be substantially in the following form:

For the purchase or building of light or water works (As the case may be.)	
Against the purchase or building of light or water works ..... (As the case may be.)	

And the electors shall designate the nature of their vote by marking an X in the square immediately opposite the proposition for which they intend to vote, and such ballots shall be counted, canvassed and returned in the same manner as other ballots cast at such election are counted, canvassed and returned.

Bonds for not to be a municipal liability. SECTION 3. Section 3 of chapter 348 of the laws of Wisconsin for the year 1899 is hereby amended by inserting before the word "water" in the third, seventh and tenth lines thereof the words "light or" so that said section when amended shall read as follows: "Section 3. If a majority of the ballots cast shall be in favor of the purchase or building of such light or water works (as the case may be) the common council of such city may authorize the mayor and city clerk of such city to issue bonds for the payment of the unpaid portion of the purchase price or cost of construction of such light or water works, which bonds shall recite upon their face that the same are secured by a trust deed or mortgage upon the light or water works so purchased or constructed, and that no municipal liability is created thereby, provided always, that such bonds shall bear interest not to exceed five per cent. per annum payable semi-annually, shall not be sold for less than par value, and shall be made payable at the option of such city in not less than five years from the date thereof and and absolutely in not more than twenty years from the date thereof."

Bonds how secured; provision for sinking fund. SECTION 4. Section 4 of chapter 348 of the laws of Wisconsin for the year 1899 is hereby amended by inserting before the word "water" in the ninth, fifteenth, nineteenth and thirty-second lines thereof the words "light or" and adding at the

end thereof the words "or otherwise as the common council may direct," so that said section when amended shall read as follows: Section 4. To secure the payment of the principal and interest of such bonds the common council of such city is hereby authorized to cause the mayor and city clerk of such city to execute to the purchasers of such bonds, or to a trustee, selected by such common council a trust deed or mortgage in such manner and form as such common council may by ordinance prescribe upon such light or water works so purchased or constructed, and upon all future additions and extensions thereto, which trust deed or mortgage shall among other things provide: that the lien of such trust deed or mortgage upon the property therein mentioned, and upon the income from such light or water works shall be the only security which the holders of such bonds shall have, and that by such trust deed or mortgage, and by such bonds, no municipal liability shall be created. That the income of such light or water works over and above the actual and necessary running expenses and necessary repairs shall be kept as a separate fund in the treasury of such city out of which fund the interest on such bonds shall be paid as in said bond, provided, that out of the excess an amount equal to four per cent. of the face value of such bonds shall be annually set aside as a sinking fund, and invested as other sinking funds of such city are invested to meet the principal of such bonds at maturity, and that the income in excess of such running expenses and repairs, interest and sinking fund, may be used for the extension and improvement of such light or water works, or otherwise as the common council may direct."

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved April 6, 1901.

No. 164, S.] [Published April 10, 1901.

CHAPTER 144.

AN ACT to amend section 1924 and 1925 of the statutes of 1898 relating to boards of fire underwriters and fire patrol.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Annual meeting, when held. SECTION 1. Section 1924 of the statutes of 1898 is hereby amended by striking out the word "March" where the same occurs in the third line thereof, and inserting in lieu therof the word "January," so that said section when so amended shall read as follows: Section 1924. For the purpose of establishing and defraying the necessary expenses of such fire patrol there shall be a meeting of the said board of fire underwriters in the month of January in each year; prior notice of such meeting, specifying the time and place at which it will be held, shall be inserted for at least ten days in one daily newspaper published in the city where such board is located; at such meeting each insurance corporation, agent or person doing a fire insurance business in such city shall have the right to be present and each corporation represented shall be entitled to one vote. Such meeting may determine whether such fire patrol shall be established, or continued if established, and fix the maximum amount of expenses which shall be incurred therefor during the ensuing year; but such maximum amount shall not in any one year exceed two per cent. of the aggregate amount of premiums for fire insurance received in such city during such year.

Insurance corporations and agents to report premiums; penalty for failure. SECTION 2. Section 1925 of the statutes of 1898 is hereby amended by striking out the words "on the first day of April and October," where the same occur in the first line thereof, and inserting in lieu thereof the words "on the first day of February;" by striking out the words "six months next preceding the said first days of April and October," where the same occur in the fifth and sixth lines of said section, and inserting in lieu thereof the words "year ending on the next preceding first day of January;" and by striking out the words "one-half" in the seventh line thereof, so that said section when so amended shall read as follows: Section 1925. On the first

day of February in each year each insurance corporation, underwriter or agent doing any fire insurance business in such city shall furnish to said board a statement, verified by affidavit, of the aggregate amount of premiums received for insuring property in such city during the year ending on the next preceding first day of January. Upon the statement so furnished said board shall assess the amount fixed as aforesaid for the expenses of said fire patrol for the current year upon the several corporations, underwriters or agents, in proportion to the amount of the premiums returned as received by each, and such assessments may be recovered by action in the name of such board. If any such statements shall not be made as above required, said board shall cause a demand in writing to be served on the corporation, underwriter or agent so failing to make such sworn statement. Such demand shall be served by leaving the same during business hours at its or his office with the person in charge thereof, and every such corporation, underwriter or agent who shall wilfully make false statement or who shall, for fifteen days after such demand, neglect to render such statement shall forfeit fifty dollars and an additional fifty dollars for each day's neglect after the expiration of said fifteen days, one-half to the use of said board, when it shall prosecute therefor.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 6, 1901.

No. 256, S.] [Published April 10, 1901.

CHAPTER 145.

AN ACT amending section 4080 statutes of 1898, relating to administering oaths.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Oaths, before whom may be taken. SECTION 1. Section 4080 of the statutes of 1898 is hereby amended by inserting after the words, "town clerk," in the sixth line of said section

the words, "village clerk," so that said section when amended shall read as follows: Section 4080. An oath or affidavit required or authorized by law, except oaths to jurors and witnesses on a trial and such other oaths as are required by law to be taken before particular officers, may be taken before any judge, court commissioner, including resident commissioners of the United States courts who have complied with section 2216, clerk of a court of record, notary public, town clerk, village clerk, clerk of a city organized under the general law, justice of the peace, police justice or county clerk, within the territory in which such officer is authorized to act; and when certified by such officer to have been taken before him may be read and used in any court of record, or not of record, and before any officer, judicial, executive or administrative. Oaths may be administered by any member of a committee mentioned in subdivision 3 of section 4053 to any witness examined before such committee.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 6, 1901.

No. 251, S.] [Published April 10, 1901.

CHAPTER 146.

AN ACT to amend section 2421 of the statutes of 1898, entitled "writs, how issued: certiorari.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Writs, what to bear; when returnable; writs of certiorari to review action of council, etc., service. SECTION 1. Section 2421 of the statutes of 1898 is hereby amended by adding after the word "board" in the ninth line of said section 2421, the following: "town board, common council of any city, or board of trustees of any village;" and by adding after the word "clerk" in the eleventh line of said section the following: "town clerk, city clerk or village clerk, respectively," so that said section when so amended shall read as follows: Section

2421. All writs issued from the circuit court shall be in the name of the state of Wisconsin, shall bear date the day they are issued, be tested in the name of the judge of the circuit in which issued, and if there be no such judge then in the name of the chief justice of the supreme court, be returnable on the first day of the term next succeeding the date of their issue, unless otherwise directed by law, by the judge or by rule of court, be signed by the clerk, sealed with the seal of the court and directed to some officer or person authorized to serve or execute the same. All writs of certiorari issued to review any action taken by any county board, town board, common council of any city or board of trustees of any village, or any record lawfully in the custody of any county clerk, town clerk, city or village clerk may be addressed to and served upon the proper county clerk, town clerk, city clerk or village clerk respectively, who shall make return thereto.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 6, 1901.

No. 303, S.] [Published April 10, 1901.

CHAPTER 147.

AN ACT legalizing the acts of certain corporations acting under section 2001 subdivisions 10 to 17 of the statutes of 1898.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Failure to file articles in office of register of deeds not to affect validity. SECTION 1. Whenever in the organization of corporations under section 2001 subdivisions 10 to 17 both inclusive, there may have been a failure to file the articles of association or a copy thereof in the office of the register of deeds of the proper county, such failure shall not affect the validity of the corporation but the same shall be a body corporate from and after the date of the signing of such articles provided that such corporation records such articles or a copy thereof in the

office of the register of deeds of the proper county within three months after the passage and publication of this act.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 6, 1901.

No. 72, S.] [Published April 10, 1901.

CHAPTER 148.

AN ACT to amend sections 78 and 79 of the statutes of 1898, relating to election returns.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Returns how sent. SECTION 1. Section 78 of the statutes of 1898 is hereby amended by inserting after the word "deliver" in the fifth line thereof, the words "or send by registered letter from the nearest postoffice," and by inserting after the word "deliver" in the eighth line thereof the words "or sending," and by striking out all after the word "therefor" in the eighth line of said section and inserting in lieu thereof the words "fifty cents, together with postage and registration fees paid by him, to be paid out of the town, city or village treasury," so that said section when amended shall read as follows: Section 78. The chairman of the inspectors or one of them appointed by him shall forthwith deliver to the clerk of the town, city or village one of said statements and poll lists, to be filed and preserved in his office, and shall, with all convenient dispatch and within two days after the election, deliver to the county clerk or send by registered letter from the nearest postoffice, the other statement and poll list to the county clerk, they having been by the inspectors carefully sealed up, with the oaths of the inspectors and clerks affixed, in an envelope properly directed to such clerk. The person delivering or sending such returns shall receive as compensation therefor, fifty cents, together with postage and registration fees paid by him, to be paid out of the town, city or village treasury.

Penalty for failure to deliver. SECTION 2. Section 79 of the statutes of 1898 is hereby amended by inserting between the

words "to" and "deliver," in the second line of said section, the words "send or," so that said section when so amended shall read as follows: Section 79. If the person to whom such returns are delivered shall fail or neglect to send or deliver them to the county clerk within such time, he shall be liable for all expenses incurred in procuring such returns by special messenger or otherwise, and shall be punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail not more than twenty days or by both such fine and imprisonment.

SECTION 3. This act shall take effect and be in force from and after its pasage and publication.

Approved April 6, 1901.

No. 241, S.] [Published April 10, 1901.

CHAPTER 149.

AN ACT to allow the Jackson County Bank of Black River Falls, Wisconsin, to reduce its capital stock.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Capital stock reduced to $25,000. SECTION 1. The Jackson County Bank of Black River Falls, Wisconsin, is hereby authorized to reduce its capital stock from twenty-seven thousand seven hundred twenty-five dollars, to twenty-five thousand dollars; "providing, however that said reduction shall be made by and with the approval of the state bank examiner."

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 6, 1901.

No. 267, S.] [Published April 10, 1901.

CHAPTER 150.

AN ACT to transfer certain sums of money from the school fund to the school fund income, and from the normal school fund to the normal school fund income, and from the university fund to the university fund income, and from the agricultural college fund to the agricultural college fund income.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Transfer to school fund income. SECTION 1. There is hereby transferred from the school fund to the school fund income the sum of sixteen thousand four hundred and fifty-six dollars and forty-six cents.

Transfer to normal school fund income. SECTION 2. There is hereby transferred from the normal school fund to the normal school fund income the sum of eleven thousand four hundred and twenty-six dollars and eight cents.

Transfer to university fund income. SECTION 3. There is hereby transferred from the university fund to the university fund income the sum of three thousand nine hundred and ninety-four dollars and ninety-nine cents.

Transfer to agricultural college fund income. SECTION 4. There is hereby transferred from the agricultural college fund to the agricultural college income fund the sum of six thousand five hundred and thirty-eight dollars and thirty-four cents.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved April 8, 1901.

No. 183, A.] [Published April 12, 1901.

CHAPTER 151.

AN ACT relating to sales of oleomargarine, and amendatory of section 4607c of the Wisconsin statutes of 1898.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Filled cheese; oleomargarine; penalties. SECTION 1. Section 4607c of the Wisconsin statutes of 1898 is hereby amended by inserting after the word "sell," in the tenth line of said section, the words, "or solicit or accept orders for," so that said section when so amended shall read as follows: Section 4607c. Any person who shall by himself, his agent or servant manufacture, buy, sell, offer, ship, consign, expose or have in possession for sale, any cheese manufactured from or by the use of skim milk to which there has been added any fat which is foreign to such milk, or who shall by himself, his agent or servant manufacture, buy, sell, offer, ship, consign, expose or have in possession for sale, within this state, any skimmed-milk cheese or cheese manufactured from milk from which any of the fat originally contained therein has been removed, except such last mentioned cheese is ten inches in diameter and nine inches in height, or who shall, by himself, his agent or servant, render or manufacture, sell or solicit or accept orders for, ship, consign, offer or expose for sale or have in possession, with intent to sell, any article, product or compound made wholly or partly out of any fat, oil or oleaginous substance or compound thereof, not produced from unadulterated milk or cream from the same, and without the admixture or addition of any fat foreign to said milk or cream, which shall be in imitation of yellow butter produced from such milk or cream with or without coloring matter, shall for the first offense be punished by fine of not more than five hundred dollars,nor less than fifty dollars, and for each subsequent offense, by imprisonment in the county jail not to exceed sixty days nor less than ten days, or by fine of not more than five hundred dollars nor less than one hundred dollars, or by both such fine and imprisonment. Nothing in this section shall be construed to prohibit the manufacture or sale of oleomargarine in a separate and distinct form and in such manner as

will advise the consumer of its real character, and free from coloration or ingredient that causes it to look like butter.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 9, 1901.

No. 300, A.] [Published April 12, 1901.

CHAPTER 152.

AN ACT to amend sections 3075 and 3088 of the statutes of 1898, relating to ejectments.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Occupant to be made defendant. SECTION 1. Amend section 3075 of the statutes of Wisconsin by adding to the end of said section the following: "or against the person in whom any title appears of record in the office of the register of deeds in and for the county in which said premises are located, at the commencement of the action;" so that said section when amended shall read as follows: Section 3075. If the premises for which the action is brought are actually occupied by any person, such actual occupant shall be made defendant in complaint; if they are not so occupied, the action must be brought against some person exercising acts of ownership on the premises claimed, or claiming title thereto or some interest therein, at the commencement of the action, or against the person in whom the title appears of record in the office of the register of deeds in and for the county in which said premises are located, at the commencement of the action.

Judgment to be conclusive. SECTION 2. Section 3088 of the Wisconsin statutes of 1898 is hereby amended by adding to said section the following: "and every purchaser whose conveyance is not recorded or filed, shall be deemed to have acquired his title after the filing of such notice, and shall be bound by the proceedings in the action to the same extent and in the same manner as if he were a party thereto;" so that said section when so amended shall read as follows: Section 3088. Every judg-

ment rendered in any such action shall be conclusive as to the title established therein, upon the party against whom it is rendered and upon all persons claiming from, through or under him by title accruing after the filing of a notice of the pendency of the action in the office of the proper register of deeds, subject to the exceptions hereinafter contained; and every purchaser whose conveyance is not recorded or filed shall be deemed to have acquired his title after the filing of such notice, and shall be bound by the proceedings in the action to the same extent and in the same manner as if he were a party thereto.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved April 9, 1901.

No. 437, A.] [Published April 12, 1901.

CHAPTER 153.

AN ACT to amend section 696 of the statutes of 1898, relating to the fees and mileage of county judges, court commissioners and justices of the peace.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Fees for copies and certificates. SECTION 1. Section 696 of the statutes of 1898 is hereby amended by striking out the words "and six cents per mile travel, and have," where they occur in said section; also amend said section by adding at the end thereof the following "and all such statements and certificates shall be transmitted to the county clerk by registered mail, and for so transmitting such statements and certificates such county judge, court commissioner or justice of the peace shall receive the sum of twelve cents," so that said section when so amended shall read as follows: Section 696. Every county judge, court commissioner and justice of the peace shall receive from the county treasurer twelve cents per folio for making statements and returns required by section 697, and twenty-five cents for making each certificate required by section 680, and all such statements and certificates shall be transmitted to the county clerk by registered mail, and for so transmitting such

statements and certificates such county judge, court commissioner or justice of the peace shall receive the sum of twelve cents.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 9, 1901.

No. 125, S.] [Published April 12, 1901.

CHAPTER 154.

AN ACT to appropriate a sum of money therein named to the normal school fund income, to be expended for buildings, repairs, and equipment.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Unexpended balance continued. SECTION 1. There is hereby appropriated to the normal school fund income out of any money in the state treasury not otherwise appropriated, and in addition to the unpaid balance of the sum appropriated by chapter 202 of the laws of 1899, the appropriation of which balance is hereby continued, the sum of twenty-five thousand dollars, to be expended for buildings, repairs, heating apparatus and equipment.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 9, 1901.

No. 98, S.] [Published April 12, 1901.

CHAPTER 155.

AN ACT making an annual appropriation to the state historical society, as trustee of the state, for the purchase of books, periodicals, maps, etc., for its library.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Five thousand dollars annually, appropriated. SECTION 1. For the purpose of purchasing books, periodicals, maps manuscripts, and kindred articles for its reference library, there is hereby annually appropriated to the state historical society of Wisconsin, as trustee of the state, the sum of five thousand dollars, out of any moneys in the state treasury not otherwise appropriated. Any balance not expended in any one year may be added to the expenditures of the next ensuing year. This sum is in addition to the existing annual appropriation to said trustee.

Record of expenditures. SECTION 2. The executive committee of said society shall keep a correct account of the manner of expenditure of the money hereby appropriated, and report annually to the governor a detailed statement of such expenditure.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 9, 1901.

No. 179, A.] [Published April 12, 1901.

CHAPTER 156.

AN ACT for the better protection of insect-destroying wild birds, their nests and eggs.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

What are game birds. SECTION 1. No person shall within the state of Wisconsin, kill or catch or have in his or her possession, living or dead, any wild bird other than a game bird, nor shall purchase, offer or expose for sale any such wild bird after it has been killed or caught. No part of the plumage, skin or body of any bird protected by this section, shall be sold or had in possession for sale. For the purposes of this act the following only shall be considered game birds: The several species of wild geese, ducks, wood cock, snipe, plover, grouse, prairie chickens, pheasant, partridge and quail, designated by name and protected by the game laws of this state.

Nests. SECTION 2. No person shall, within the state of Wisconsin take or needlessly destroy the nest or the eggs of any wild bird, nor shall have such nest or eggs in his or her possession.

Penalty for violations. SECTION 3. Any person who violates any of the provisions of this act, shall be guilty of a misdemeanor and shall be liable to a fine of five dollars for each offense, and an additional fine of five dollars for each bird, living or dead or part of bird or nest and eggs possessed, in violation of this act or to imprisonment for ten days, or both at the discretion of the court.

When act not to apply. SECTION 4. Sections 1, 2 and 3 of this act shall not apply to any person holding a certificate giving the right to take birds and their nests and eggs for scientific purposes, as provided for in section 5 of this act.

Issue of scientific certificates. SECTION 5. The fish and game warden may grant on satisfactory testimonials of well-known scientists only, a certificate to any member of an incorporated society of natural history or to any professor of any university, school or college, or any person properly accredited by any such institution, authorizing such person or institution to collect for

scientific purposes only, the nests, eggs, animals, birds and fish protected by these statutes. No person to whom such certificate is issued or who acts under the same, shall dispose of any such specimens except in exchange for scientific purposes.

Certificates not transferable. SECTION 6. The certificates authorized by this act shall be in force for one year only from the date of their issue and shall not be transferable.

What birds not included. SECTION 7. The English or European house sparrow (*passer domesticus*) the American crow (*corvus americanus*) the sharp-shinned hawk (*accipiter velox*) Cooper's hawk (*accipiter cooperii*) owls (*ulula cimera*) and blackbirds are not included among the birds protected by this act.

Conflicting laws repealed. SECTION 8. All acts or parts of acts heretofore passed, inconsistent with or contrary to the provisions of this act, are hereby repealed.

SECTION 9. This act shall take effect and be in force, from and after its passage and publication.

Approved April 9, 1901.

No. 33, A.] [Published April 12, 1901.

CHAPTER 157.

AN ACT relating to ditches and drains.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Ditches in use for three years declared valid. SECTION 1. All ditches, drains, or water-courses, which shall have been or shall hereafter be laid out and constructed by the supervisors of any town or towns, or the board of supervisors of any county, which shall have been opened and in actual use for the term of three years, shall be deemed to be, and are hereby declared to be legal ditches, drains, or water courses, so far as they have been so opened and in actual use, notwithstanding that the law may not have been in all respects complied with in laying out the same; provided that as to all drains, ditches, or water courses hereto-

the words, "village clerk," so that said section when amended shall read as follows: Section 4080. An oath or affidavit required or authorized by law, except oaths to jurors and witnesses on a trial and such other oaths as are required by law to be taken before particular officers, may be taken before any judge, court commissioner, including resident commissioners of the United States courts who have complied with section 2216, clerk of a court of record, notary public, town clerk, village clerk, clerk of a city organized under the general law, justice of the peace, police justice or county clerk, within the territory in which such officer is authorized to act; and when certified by such officer to have been taken before him may be read and used in any court of record, or not of record, and before any officer, judicial, executive or administrative. Oaths may be administered by any member of a committee mentioned in subdivision 3 of section 4053 to any witness examined before such committee.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 6, 1901.

No. 251, S.] [Published April 10, 1901.

CHAPTER 146.

AN ACT to amend section 2421 of the statutes of 1898, entitled "writs, how issued: certiorari.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Writs, what to bear; when returnable; writs of certiorari to review action of council, etc., service. SECTION 1. Section 2421 of the statutes of 1898 is hereby amended by adding after the word "board" in the ninth line of said section 2421, the following: "town board, common council of any city, or board of trustees of any village;" and by adding after the word "clerk" in the eleventh line of said section the following: "town clerk, city clerk or village clerk, respectively," so that said section when so amended shall read as follows: Section

2421. All writs issued from the circuit court shall be in the name of the state of Wisconsin, shall bear date the day they are issued, be tested in the name of the judge of the circuit in which issued, and if there be no such judge then in the name of the chief justice of the supreme court, be returnable on the first day of the term next succeeding the date of their issue, unless otherwise directed by law, by the judge or by rule of court, be signed by the clerk, sealed with the seal of the court and directed to some officer or person authorized to serve or execute the same. All writs of certiorari issued to review any action taken by any county board, town board, common council of any city or board of trustees of any village, or any record lawfully in the custody of any county clerk, town clerk, city or village clerk may be addressed to and served upon the proper county clerk, town clerk, city clerk or village clerk respectively, who shall make return thereto.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 6, 1901.

No. 303, S.] [Published April 10, 1901.

CHAPTER 147.

AN ACT legalizing the acts of certain corporations acting under section 2001 subdivisions 10 to 17 of the statutes of 1898.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Failure to file articles in office of register of deeds not to affect validity. SECTION 1. Whenever in the organization of corporations under section 2001 subdivisions 10 to 17 both inclusive, there may have been a failure to file the articles of association or a copy thereof in the office of the register of deeds of the proper county, such failure shall not affect the validity of the corporation but the same shall be a body corporate from and after the date of the signing of such articles provided that such corporation records such articles or a copy thereof in the

No. 213, S.] [Published April 16, 1901.

CHAPTER 160.

AN ACT to amend section 523, statutes of 1898, relating to the officers of township school boards and the secretary's compensation.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Compensation of secretary; vacancies in board. SECTION 1. Section 523, statutes of 1898, is hereby amended by striking out the second sentence therein, which reads as follows: "Such secretary shall receive compensation at not less than two nor more than three dollars per day, but the electors may at the annual town meeting limit the number of days for which he shall receive compensation during the year; and he shall present a statement of his services rendered at the annual meeting of the board," and substituting therefor, the following: "Such secretary shall receive compensation of not less than two nor more than three dollars per day for not to exceed twenty-five days in each school year; and the members of the executive committee may receive a compensation of two dollars per day not to exceed fifteen days in any one school year, when the electors at the annual town meeting shall so decide. The officers shall present a statement of their services rendered at the annual meeting of the board," so that such section when so amended shall read as follows: Section 523. The members of the board, a majority of whom shall constitute a quorum, assembled at each annual meeting, shall elect from their number a president and a vice-president; also a secretary who may or may not be of their number, but who shall be a resident of the town and hold said office for one year or until his successor is elected. Such secretary shall receive compensation of not less than two nor more than three dollars per day for not to exceed twenty-five days in each school year, and the other members of the executive committee may, when the electors at the annual town meeting shall so decide, receive a compensation of two dollars per day for not to exceed fifteen days in any one school year. The officers shall present a statement of their services rendered at the annual meeting of the board. Vacancies in either of such offices may be filled at any special meeting of the board, the notice for which shall state the object of the meeting to be to fill the vacancy ex-

isting, or at any semi-annual meeting; and persons elected to fill any vacancy shall hold the remainder of the unexpired term.

Committee to audit accounts of board; duty of committee. SECTION 2. In towns under the township system of school government, the electors assembled at the annual town meeting to be held the first Tuesday of April, 1901, and at every annual meeting thereafter, shall by ballot or viva voce vote elect three competent persons, tax payers in the town, who shall act as a committee of audit of school district accounts. This committee shall meet with the secretary of the town board of school directors of said town, on the Saturday immediately preceding such annual town meeting, at such an hour and place as shall be previously agreed upon between such committee and such secretary of the town board of school directors. Said secretary shall thereupon place in the hands of said committee a copy of his report made to the town board of supervisors under section 534 of the statutes of 1898, with all books, accounts, and vouchers in any way relating or pertaining to the management and conduct of the school affairs of the town. Upon receipt of said reports, books, accounts, and vouchers, the committee shall immediately proceed to make a careful examination thereof and a written report of their findings and conclusions; said report to be presented and read to the electors assembled at the annual town meeting, immediately after the presentation by the town board of supervisors of the report made to them by the secretary of the town board of school directors and before any action is taken by the electors of the town, as provided under section 535 of the statutes of 1898. The report of this committee shall be signed by the members, or a majority thereof and shall be entered upon the record books of the secretary of the town board of school directors, as a part of the records of the town.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 11, 1901.

No. 322, S.] [Published April 16, 1901.

CHAPTER 161.

AN ACT providing for the compilations of the opinions of the attorneys general.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Compilation to be done without expense to the state. SECTION 1. The attorney general is hereby authorized and directed to compile and edit the opinions of the attorneys general of this state from the organization of the state government to the present time, and to prepare for publication such of said opinions as he may find to be of general importance. He shall also prepare a full index thereof: "provided that such compilation shall be made without expense to the state.

Publication of opinions. SECTION 2. Said opinions shall be published by the commissioners of public printing in the public documents of the state and there shall also be published by the commissioners of public printing one thousand separate copies, to be bound in cloth, of which number one hundred and fifty copies shall be delivered to the attorney general, for distribution, and the balance shall be delivered to the superintendent of public property and distributed by him in the manner provided by law for the distribution of reports of the other elective state officers.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 12, 1901.

No. 237, A.] [Published April 16, 1901.

CHAPTER 162.

AN ACT to permit the building of a free wagon bridge across the Fox river in Marquette county, Wisconsin.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Location of bridge. SECTION 1. The towns of Buffalo and Moundville in the county of Marquette in the state of Wisconsin, are hereby authorized and empowered to build, construct and maintain a free wagon bridge over and across the Fox river on and along, or near to, the section line between sections five and eight in township fourteen north, of range nine east, in the county of Marquette and state of Wisconsin; and for such purpose may erect piers, drive piles, build embankments and approaches in said river and on the banks thereof, suitable and necessary for the proper construction and maintenance of said bridge, and the enjoyment of the rights hereby granted or intended to be granted; provided, that said bridge shall be provided with a proper and suitable draw or swing so as not to obstruct said river unreasonably for navigable purposes.

Right to amend or repeal reserved. SECTION 2. The right is hereby reserved to the state to alter, amend or repeal any or all the provisions of this act.

SECTION 3. This act shall take and be in force, from and after its passage and publication.

Approved April 12, 1901.

No. 236, A.] [Published April 16, 1901.

CHAPTER 163.

AN ACT to amend section 587, of the statutes of 1898, relating to the re-examination of persons alleged to be sane and a jury trial thereon and the powers of the state board of control in reference thereto.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Hearing or re-trial, how had; petition, what to contain; judge to appoint physicians; notice to parties; when person is reported sane; findings of jury; when board of control may act as commission in lunacy. SECTION 1. Section 587 of the statute of 1898 is hereby amended by striking out all thereof down to and including the word "examination," in the eighteenth line of said section, and inserting in lieu thereof the following: "Except as hereinafter provided, any person who has heretofore been or may hereafter be adjudged insane by any court, tribunal or officer having lawful authority so to adjudge, or any person restrained of his liberty because of his alleged insanity, may on his own verified petition or that of his guardian or some relative or friend, have a re-trial or re-examination of the question whether such person is sane or insane, before the judge of the circuit or county court or any other court of record of the county in which such person resides, or in which he was so adjudged to be insane, or in which the hospital or asylum for the insane is located in which he is detained, if he is so detained. The petition shall state the facts necessary to show that the judge to whom it is addressed and presented has jurisdiction to re-try or re-examine the question of the present mental condition as to sanity or insanity of the person in whose behalf such petition is presented. It shall also state whether such person has a general guardian and if so, the name and residence of such guardian, and whether such person is detained in any hospital or asylum for the insane and if so its name and location and the name of the superintendent thereof. Any such judge receiving such petition shall thereupon by order appoint two physicians, each having the qualifications prescribed by section 585 of the statutes of 1898, to examine and report to him whether in their opinion the person in whose behalf the petition is made, is sane or insane. The judge shall also fix the time

and place of such examination and shall cause reasonable notice thereof to be given to the guardian of the person to be examined, if he has a general guardian, and to the superintendent of the hospital or asylum in which such person is detained, if he is so detained. Such general guardian and any relative or friend of the person to be examined, and such superintendent, may appear at such examination, and either of them may offer testimony on the examination which if competent shall be received. Should the state board of control certify that such superintendent cannot attend such examination without danger of injury to his institution, his deposition may be taken and returned pursuant to the statute for taking and returning depositions and the same shall be admissible testimony on the examination." Also by striking out the words "if they find that the person is insane the judge shall make a further order of commitment to some hospital or asylum or not, as in his judgment the facts warrant," in lines twenty-nine, thirty, and thirty-one, and inserting in place thereof the following: "if the jury finds that the person so examined is sane, the judge shall order his immediate discharge. If it finds that such person is insane, if he is detained in any such hospital or asylum, the judge shall order him returned thereto. If at large on parole or leave of absence, he shall be allowed to remain at large unless the judge is satisfied that it will be unsafe to do so, in which case the judge may order him committed to some hospital or asylum for the insane." Also by adding to the section the following: "provided however the foregoing provisions of this section shall not apply to any person awaiting hearing, trial or sentence on a charge of crime, who was committed as insane to a hospital or asylum for the insane by any competent court, nor to any person sentenced to confinement in the state prison or state reformatory who has been lawfully adjudged insane and transferred from either of those institutions to such hospital or asylum until after the expiration of the term for which such convict or inmate was sentenced to imprisonment or detention in said prison or asylum." So that said section when thus amended shall read as follows: Section 587. Except as hereinafter provided, any person who has heretofore been, or may hereafter be adjudged insane by any court, tribunal or officer having lawful authority so to adjudge, or any person restrained of his liberty because of his alleged insanity, may on his own verified petition or that of his guardian or some relative or friend, have a re-trial or re-examination of the question whether such person is sane or insane before the judge of the circuit court or county court or any other court of record of the county in which such person resides or in which he was so ad-

judged to be insane or in which the hospital or asylum for the insane is located in which he is detained, if he is so detained. The petition shall state the facts necessary to show that the judge to whom it is addressed and presented has jurisdiction to re-try or re-examine the question of the present mental condition as to sanity or insanity of the person in whose behalf such petition is presented. It shall also state whether such person has a general guardian and if so the name and residence of such guardian and whether such person is detained in any hospital or asylum for the insane, and if so its name and location and the name of the superintendent thereof. Any such judge receiving such petition shall thereupon by order appoint two physicians, each having the qualifications prescribed by section 585 of the statutes of 1898, to examine and report to him whether in their opinion the person in whose behalf the petition is made is sane or insane. The judge shall also fix the time and place of such examination and shall cause reasonable notice thereof to be given to the guardian of the person to be examined, if he has a general guardian, and to the superintendent of the hospital or asylum in which such person is detained, if he is so detained. Such general guardian and any relative or friend of the person to be examined, and such superintendent may appear at such examination and either of them may offer testimony on the examination, which if competent, shall be received. Should the state board of control certify that such superintendent cannot attend such examination without danger of injury to his institution, his deposition may be taken and returned pursuant to the statute for taking and returning depositions, and the same shall be admissible testimony on the examination. If such physicians report such person sane and the judge is satisfied that he is sane and no demand for a jury trial is made, a judgment to that effect shall forthwith be entered, but if the judge shall direct or the person examined, his guardian or any such person's friends or relatives shall demand a trial by jury, an order for such a trial shall forthwith be entered. The procedure on such trial shall be as near as may be the same as in trials by jury in justices' courts. The person examined, his counsel, relatives, immediate friends, general guardian and the witnesses may be present, the court may exclude all others. After hearing the evidence and arguments, the jury shall return a verdict of sane or insane as they shall agree; if they disagree they shall be discharged and another jury may be impaneled. Judgment shall be entered in accordance with the fact found by the jury. If the jury finds that the person so examined is sane, the judge shall order his immediate discharge. If it finds that such per-

son is insane if he is detained in any such hospital or asylum the judge shall order him returned thereto. If at large on parole or leave of absence, he shall be allowed to remain at large unless the judge is satisfied that it will be unsafe to do so, in which case the judge may order him committed to some hospital or asylum for the insane. All persons who render services in such proceedings shall receive the same compensation as the law provides for similar services rendered in criminal cases in justices' courts to be paid in like manner. In cases wherein no jury is demanded, the state board of control acting as a commission in lunacy, may by like procedure determine the sanity or insanity of any person committed to either of the state hospitals for the insane, whether an actual inmate thereof or at large on parole or committed to any other hospital or asylum for the insane, and its determination shall be recorded in the office of the proper county judge and shall have the same force and effect as though made by such judge, or such board may, if it has reason to doubt the insanity of such person, request the proper county judge to make due inquiry and determine the mental condition of such person, pursuant to this section, and it shall be the duty of said judge to do so. Provided however the foregoing provisions of this section shall not apply to any person awaiting hearing, trial or sentence on a charge of crime who was committed as insane to the hospital or ayslum for the insane by any competent court, nor to any person sentenced to confinement in the state prison or state reformatory who has been lawfully adjudged insane and transferred from either of those institutions to such hospital or asylum until after the expiration of the term for which such convict or inmate was sentenced to imprisonment or detention in said prison or asylum.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 12, 1901.

No. 623, A.] [Published April 17, 1901.

CHAPTER 164.

AN ACT to apportion and district anew the state of Wisconsin into assembly districts.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Single counties as districts; more than one county. SECTION 1. Until there shall be a new apportionment, the members of the assembly shall be apportioned among the several districts of the state as hereinafter mentioned, and each district shall be entitled to elect one member of the assembly.

The counties of Ashland, Barron, Calumet, Clark, Crawford, Door, Dunn, Green, Green Lake, Iowa, Jackson, Juneau, Kenosha, Kewaunee, La Fayette, Lincoln, Monroe, Oconto, Ozaukee, Pierce, Portage, Richland, Shawano, St. Croix, Trempealeau, Vernon, Walworth, Wood, Waushara, Washington shall each constitute an assembly district.

The counties of Adams and Marquette shall constitute an assembly district. The counties of Bayfield, Sawyer and Washburn shall constitute an assembly district. The counties of Buffalo and Pepin shall constitute an assembly district. The counties of Burnett and Polk shall constitute an assembly district. The counties of Forest, Florence and Langlade shall constitute an assembly district. The counties of Iron, Oneida and Vilas shall constitute an assembly district. The counties of Price and Taylor shall constitute an assembly district.

BROWN COUNTY.—The towns of Ashwaubenon, Howard, Pittsfield, Suamico, the city of Green Bay, shall constitute the first assembly district of Brown county. The towns of Allouez, Bellevue, Depere, Eaton, Green Bay, Humboldt, Preble, Holland, Glenmore, Morrison, Lawrence, New Denmark, Rockland, Wrightstown, Scott, the village of Wrightstown, the city of Depere and that part of Oneida reservation within the county of Brown shall constitute the second assembly district of Brown county.

CHIPPEWA COUNTY.—The towns of Edson, Lafayette, Sigel, Tilden, Wheaton, the third ward of the city of Chippewa Falls, the fourth ward of the city of Chippewa Falls, the fifth ward of

the city of Chippewa Falls, the sixth ward of the city of Chippewa Falls, the eighth ward of the city of Chippewa Falls, the ninth ward of the city of Chippewa Falls, the tenth ward of the city of Chippewa Falls, the first ward of the city of Stanley, the second ward of the city of Stanley, the third ward of the city of Stanley, the villages of Boyd, Cadott shall constitute the first assembly district of Chippewa county. The towns of Anson, Auburn, Arthur, Bloomer, Big Bend, Cleveland, Colburn, Dewey, Eagle Point, Flambeau, Lawrence, Sampson, Strickland, the village of Bloomer, the first ward of the city of Chippewa Falls, the second ward of the city of Chippewa Falls, the seventh ward of the city of Chippewa Falls, shall constitute the second assembly district of Chippewa county.

Columbia County.—The towns of Arlington, Caledonia, Dekorra, Fort Winnebago, Lewiston, Lodi, New Port, Pacific, West Point, the villages of Kilbourn City, Lodi, Poynette, the city of Portage shall constitute the first assembly district of Columbia county. The towns of Columbus, Courtland, Fountain Prairie, Hampden, Leeds, Lowville, Marcellon, Otsego, Randolph, Scott, Springvale, Wyocena, the villages of Cambria, Pardeeville, Rio, west ward of the village of Randolph, the city of Columbus shall constitute the second assembly district of Columbia county.

Dane County.—The towns of Blooming Grove, Dunn, Madison, Pleasant Springs, the city of Madison shall constitute the first assembly district of Dane county. The towns of Albion, Bristol, Burke, Cottage Grove, Christiana, Deerfield, Dunkirk, Medina, Sun Prairie, Windsor, Westport, York, the villages of Deerfield, Sun Prairie, Waunakee, the city of Stoughton shall constitute the second assembly district of Dane county. The towns of Black Earth, Berry, Blue Mounds, Cross Plains, Dane, Fitchburg, Mazomanie, Middleton, Montrose, Oregon, Primrose, Perry, Roxbury, Rutland, Springfield, Springdale, Vienna, Vermont, Verona, the villages of Dane, Oregon, Mazomanie, Belleville, Mount Horeb shall constitute the third assembly district of Dane county.

Dodge County.—The towns of Ashippun, Clyman, Emmett, Herman, Hubbard, Hustisford, Lebanon, Leroy, Lomira, Rubicon, Shields, Theresa, Williamstown, the fifth ward of the city of Watertown, the sixth ward of the city of Watertown, the villages of Lomira, Theresa, the cities of Horicon, Mayville shall constitute the first assembly district of Dodge county. The towns of Beaver Dam, Burnett, Calamus, Chester, Elba, Fox

Lake, Lowell, Oak Grove, Portland, Trenton, Westford, the villages of Fox Lake, Lowell, Reeseville, the east ward of the village of Randolph, the south ward of the city of Waupun, the cities of Juneau, Beaver Dam shall constitute the second assembly district of Dodge county.

DOUGLAS COUNTY.—The second ward of the city of Superior, the third ward of the city of Superior, the fourth ward of the city of Superior, the fifth ward of the city of Superior, the sixth ward of the city of Superior shall constitute the first assembly district of Douglas county. The towns of Brule, Gordon, Nebagamain, Superior, the first ward of the city of Superior, the seventh ward of the city of Superior, the eighth ward of the city of Superior, the ninth ward of the city of Superior, the tenth ward of the city of Superior shall constitute the second assembly district of Douglas county.

EAU CLAIRE COUNTY.—The town of Seymour, the first ward of the city of Eau Claire, the second ward of the city of Eau Claire, the third ward of the city of Eau Claire, the fifth ward of the city of Eau Claire, the sixth ward of the city of Eau Claire, the eighth ward of the city of Eau Claire, the ninth ward of the city of Eau Claire, the tenth ward of the city of Eau Claire, the city of Altoona shall constitute the first assembly district of Eau Claire county. The towns of Bridge Creek, Brunswick, Clear Creek, Drammen, Fairchild, Lincoln, Ludington, Otter Creek, Pleasant Valley, Union, Washington, the village of Fairchild, the fourth ward of the city of Eau Claire, the seventh ward of the city of Eau Claire, the city of Augusta shall constitute the second assembly district of Eau Claire county.

FOND DU LAC COUNTY.—The towns of Calumet, Empire, Fond du Lac, Forest, Friendship, Marshfield, Taycheedah, the city of Fond du Lac shall constitute the first assembly district of Fond du Lac county. The towns of Alto, Ashford, Auburn, Byron, Eden, Eldorado, Lamartine, Metomen, Osceola, Oakfield, Ripon, Rosendale, Springvale, Waupun, the village of Brandon, the north ward of the city of Waupun, the city of Ripon shall constitute the second assembly district of Fond du Lac county.

GRANT COUNTY.—The towns of Beetown, Cassville, Clifton, Ellenborough, Glen Haven, Hazel Green, Harrison, Jamestown, Lima, Paris, Platteville, Potosi, Smelzer, Waterloo, the villages of Cassville, Cuba City, Hazel Green, Potosi, the city of Platteville shall constitute the first assembly district of Grant county. The towns of Boscobel, Castle Rock, Fennimore, Hickory Grove,

Lancaster, Liberty, Little Grant, Marion, Milleville, Mt. Hope, Mt. Ida, Muscoda, Patch Grove, Bloomington, Watterstown, Wingville, Woodman, Wyalusing, the villages of Bloomington, Fennimore, Montford, Muscoda, the city of Boscobel, the city of Lancaster, shall constitute the second assembly district of Grant county.

JEFFERSON COUNTY.—The towns of Concord, Farmington, Hebron, Ixonia, Milford, Palmyra, Sullivan, Watertown, the village of Palmyra, the first ward of the city of Watertown, the second ward of the city of Watertown, the third ward of the city of Watertown, the fourth ward of the city of Watertown, the seventh ward of the city of Watertown, shall constitute the first assembly district of Jefferson county. The towns of Aztalan, Cold Spring, Jefferson, Koshkonong, Lake Mills, Sumner, Waterloo, Oakland, the villages of Lake Mills, Waterloo, the cities of Fort Atkinson, Jefferson shall constitute the second assembly district of Jefferson county.

LA CROSSE COUNTY.—The town of Campbell, the first ward of the city of La Crosse, the second ward of the city of La Crosse, the fourth ward of the city of La Crosse, the fifth ward of the city of La Crosse, the sixth ward of the city of La Crosse, the seventh ward of the city of La Crosse, the ninth ward of the city of La Crosse, the tenth ward of the city of La Crosse, the eleventh ward of the city of La Crosse, the twelfth ward of the city of La Crosse, the thirteenth ward of the city of La Crosse, the fourteenth ward of the city of La Crosse, the fifteenth ward of the city of La Crosse, the sixteenth ward of the city of La Crosse, the nineteenth ward of the city of La Crosse, the twentieth ward of the city of La Crosse shall constitute the first assembly district of La Crosse county. The towns of Bangor, Barre, Burns, Farmington, Greenfield, Hamilton, Holland, Onalaska, Shelby, Washington, the villages of Bangor, West Salem, the third ward of the city of La Crosse, the eighth ward of the city of La Crosse, the seventeenth ward of the city of La Crosse, the eighteenth ward of the city of La Crosse, the city of Onalaska shall constitute the second assembly district of La Crosse county.

MANITOWOC COUNTY.—The towns of Centerville, Liberty, Manitowoc, Manitowoc Rapids, Meeme, Newton, the city of Manitowoc shall constitute the first assembly district of Manitowoc county. The towns of Cato, Cooperstown, Eaton, Franklin, Gibson, Kossuth, Maple Grove, Mishicott, Rockland, Schleswig, Two Creeks, Two Rivers, the villages of Kiel, Reeds-

ville, the city of Two Rivers shall constitute the second assembly district of Manitowoc county.

MARATHON COUNTY.—The towns of Bergen, Berlin, Brighton, Cassel, Cleveland, Day, Eau Pleine, Emmett, Frankfort, Halsey, Hamburg, Holton, Hull, Johnson, Maine, McMillan, Marathon, Mosinee, Rib Falls, Reitbrock, Spencer, Stettin, Wein, the village of Marathon City, the village of McMillan, the village of Mosinee, east ward of Colby, village of Edgar shall constitute the first assembly district of Marathon county. The towns of Easton, Eldron, Harrison, Hewitt, Knowlton, Kronewetter, Norrie, Pike Lake, Plover, Texas, Wausau, Weston, the city of Wausau shall constitute the second assembly district of Marathon county.

MARINETTE COUNTY.—The city of Marinette shall be the first assembly district of Marinette county. The towns of Amberg, Crivitz, Coleman, Dunbar, Grover, Porterfield, Peshtigo, Wausaukee shall constitute the second assembly district of Marinette county.

MILWAUKEE COUNTY.—The first ward of the city of Milwaukee, the eighteenth ward of the city of Milwaukee shall constitute the first assembly district of Milwaukee county. The second ward of the city of Milwaukee, the sixth ward of the city of Milwaukee shall constitute the second assembly district of Milwaukee county. The seventeenth ward of the city of Milwaukee, the towns of Oak Creek, Lake, the village of Cudahy, the city of South Milwaukee shall constitute the third assembly district of Milwaukee county. The fifteenth ward of the city of Milwaukee, the sixteenth ward of the city of Milwaukee shall constitute the fourth assembly district of Milwaukee county. The fifth ward of the city of Milwaukee, the twelfth ward of the city of Milwaukee shall constitute the fifth assembly district of Milwaukee county. The third ward of the city of Milwaukee, the fourth ward of the city of Milwaukee, the seventh ward of the city of Milwaukee shall constitute the sixth assembly district of Milwaukee county. The towns of Franklin, Greenfield Wauwatosa, the city of Wauwatosa shall constitute the seventh assembly district of Milwaukee county. The eighth and twenty-third wards of the city of Milwaukee, shall constitute the eighth assembly district of Milwaukee. The ninth ward of the city of Milwaukee shall constitute the ninth assembly district of Milwaukee county. The tenth ward of the city of Milwaukee shall constitute the tenth assembly district of Milwaukee county. The eleventh ward of the city of Milwaukee shall constitute the

eleventh assembly district of Milwaukee county. The nineteenth and twenty-second wards of the city of Milwaukee shall constitute the twelfth assembly district of Milwaukee county. The thirteenth ward of the city of Milwaukee shall constitute the thirteenth assembly district of Milwaukee county. The fourteenth ward of the city of Milwaukee shall constitute the fourteenth assembly district of Milwaukee county. The twenty-first ward of the city of Milwaukee, the towns of Granville, Milwaukee, the villages of East Milwaukee, North Milwaukee, Whitefish Bay shall constitute the fifteenth assembly district of Milwaukee county. The twentieth ward of the city of Milwaukee shall constitute the sixteenth assembly district of Milwaukee county.

Outagamie County.—The towns of Bovina, Center, Dale, Ellington, Grand Chute, Greenville, the city of Appleton shall constitute the first assembly district of Outagamie county. The towns of Buchanan, Black Creek, Cicero, Deer Creek, Freedom, Hortonia, Kaukauna, Liberty, Maple Creek, Maine, Osborne, Seymour, that part of Oneida reservation that lies within Outagamie county, the villages of Little Chute, Hortonville, the cities of Kaukauna, Seymour, the third ward of the city of New London shall constitute the second assembly district of Outagamie county.

Racine County.—The first ward of the city of Racine, the second ward of the city of Racine, the third ward of the city of Racine, the fourth ward of the city of Racine, the fifth ward of the city of Racine, the sixth ward of the city of Racine shall constitute the first assembly district of Racine county. The towns of Burlington, Caledonia, Dover, Mt. Pleasant, Norway, Raymond, Rochester, villages of Union Grove, Waterford, Yorkville, the seventh ward of the city of Racine, the city of Burlington shall constitute the second assembly district of Racine county.

Rock County.—The towns of Center, Fulton, Janesville, Lima, Milton, Magnolia, Porter, Rock, Spring Valley, Union, the cities of Edgerton, Evansville shall constitute the first assembly district of Rock county. The towns of Bradford, Harmony, Johnstown, LaPrairie, the city of Janesville shall constitute the second assembly district of Rock county. The towns of Avon, Beloit, Clinton, Newark, Plymouth, Turtle, the village of Clinton, the city of Beloit shall constitute the third assembly district of Rock county.

SAUK COUNTY.—The towns of Baraboo, Dellona, Delton, Excelsior, Fairfield, Freedom, Greenfield, Merrimac, Prairie du Sac, Sumpter, the village of Ableman, Merrimac, North Freedom, Prairie du Sac, Sauk City, the city of Baraboo shall constitute the first assembly district of Sauk county. The towns of Bear Creek, Franklin, Honey Creek, Ironton, La Valle, Reedsburg, Spring Green, Troy, Washington, Westfield, Winfield, Woodland, the villages of La Valle, Spring Green, the city of Reedsburg shall constitute the second assembly district of Sauk county.

SHEBOYGAN COUNTY.—The town of Sheboygan, the city of Sheboygan shall be the first assembly district of Sheboygan county. The towns of Greenbush, Herman, Holland, Lima, Lyndon, Mitchell, Mosel, Plymouth, Rhine, Russell, Scott, Sheboygan Falls, Sherman, Wilson, the villages of Cedar Grove, Elkhart Lake, Sheboygan Falls, the city of Plymouth shall constitute the second assembly district of Sheboygan county.

WAUPACA COUNTY.—The towns of Caledonia, Dayton, Farmington, Fremont, Lind, Little Wolf, Royalton, St. Lawrence, Scandinavia, Waupaca, Weyauwega, the villages of Weyauwega, Fremont, Manawa, Scandinavia, the city of Waupaca, shall constitute the first assembly district of Waupaca county. The towns of Bear Creek, Dupont, Harrison, Helvetia, Iola, Lebanon, Larrabee, Matteson, Mukwa, Union, Wyoming, the villages of Embarrass, Iola, Marion, the city of Clintonville, the first ward of the city of New London, the second ward of the city of New London, the fourth ward of the city of New London, the fifth ward of the city of New London shall constitute the second assembly district of Waupaca county.

WAUKESHA COUNTY.—The towns of Eagle, Genesee, Mukwonago, Muskego, New Berlin, Ottawa, Vernon, Waukesha, the village of Eagle, the city of Waukesha shall constitute the first assembly district of Waukesha county. The towns of Brookfield, Delafield, Lisbon, Menominee, Merton, Oconomowoc, Pewaukee, Summit, the villages of Hartland, Menominee Falls, Pewaukee, the city of Oconomowoc shall constitute the second assembly district of Waukesha county.

WINNEBAGO COUNTY.—Town of Oshkosh, city of Oshkosh first ward, city of Oshkosh second ward, city of Oshkosh fourth ward, city of Oshkosh fifth ward, city of Oshkosh seventh ward, city of Oshkosh eighth ward, city of Oshkosh tenth ward, city of Oshkosh eleventh ward, city of Oshkosh twelfth ward shall

constitute the first assembly district of Winnebago county. Towns of Clayton, Menasha, Neenah, Vinland, Winchester, Winneconne, Wolf River, Winneconne village, Menasha city, Neenah city shall constitute the second assembly district of Winnebago county. Towns of Algoma, Black Wolf, Nekimi, Nepeuskun, Omro, Poygan, Rushford, Utica, city of Oshkosh third ward, city of Oshkosh sixth ward, city of Oshkosh ninth ward, city of Oshkosh thirteenth ward, Omro village shall constitute the third assembly district of Winnebago county.

SECTION 2. In case any town, city or ward has not been attached to, or included in any assembly district by its proper name or designation, or has been omitted from any cause by the provisions of this act, such town, city, ward or village shall be a part of the assembly district in which the adjoining town, village or ward having the least population in the same assembly district is situated.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved April 12, 1901.

No. 317, A.] [Published April 16, 1901.

CHAPTER 165.

AN ACT to prohibit the misconduct of passengers upon street railways and providing for the punishment thereof.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Use of obscene language, etc. SECTION 1. Any person who shall while riding upon any car of any street railway, use obscene or profane language in the hearing of other passengers, or who shall conduct himself riotously or boisterously to their annoyance or discomfort, or who shall otherwise be guilty of misconduct in violation of the rights of other passengers, shall be punished by a fine not exceeding one hundred dollars or by

imprisonment in the county jail, not exceeding ninety days, or by both fine and imprisonment.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 12, 1901.

No. 326, S.] [Published April 17, 1901.

CHAPTER 166.

AN ACT to amend section 393 of the statutes of 1898, relating to normal school regents.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Woman to be member of board, when. SECTION 1. Section 393 of the statutes of 1898 as amended by chapters 74 and 260 of the laws of 1899 is hereby amended by inserting after, "regents" at the end of line 15 on page 431, laws of 1899, " at least one of who shall be a woman," and by striking out the word "such" where it appears in line 29, page 431, laws of 1899," and insert in lieu thereof the word "male," so that said section when so amended shall be and read as follows: Section 393. For the government of the normal schools established and which may hereafter be established, and for the performance of the duties prescribed to them, there is constituted a board of eleven regents, called "the board of regents of normal schools," composed of the state superintendent, as ex-officio regent, and if ten appointed regents, at least one of whom shall be a woman: the term of office of the appointed regents commencing with the first Monday of February in the year in which appointed, shall be five years and until the appointment and qualification of their respective successors; except that the regents first appointed under this act shall be divided into five classes of two each, and the term of office of said classes so first appointed shall be respectively one, two, three, four and five years and until their successors are appointed and qualified, and their successors in office shall continue so divided into five classes of two each, so that the term of office of two regents shall expire each year; and not more than one male member of the board shall reside in any one

congressional district; provided, however, that where two normal schools are located in one congressional district there may be two regents in such district. The governor shall fill all vacancies by appointment, and in case of a vacancy before the expiration of a term, the appointment shall be for the residue of the term only.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 13, 1901.

No. 310, S.] [Published April 17, 1901.

CHAPTER 167.

AN ACT to amend chapter 264 of the laws of 1899 creating a pension fund for members of the fire department in cities of the first class.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Funds by whom set aside and retained. SECTION 1. Section 1 of chapter 264 of the laws of 1889 is hereby amended by striking out the word "treasurers" where it occurs at the end of the seventh line of said section and inserting in lieu thereof the words "common council and comptrollers," and by striking out the following words commencing in the eighth line of said section 1 to whom the same shall be paid as a fund," and inserting in lieu thereof "and retained and set apart by the treasurers of such cities, so that said section when amended shall read as follows: Section 1. In all cities of the first class within this state having paid fire departments two-thirds of all sums collected or received by the treasurers of such cities, under requirements of the charters of such cities relating to and providing for the taxation of fire insurance companies or agents, shall be set apart by the common council and comptrollers of such cities and retained and set apart by the treasurers of such cities for the pensioning of disabled and superannuated members of fire departments and of the widows and orphans of deceased members thereof, and the treasurers of such cities shall be ex-officio treasurers of such fund.

Powers of board restricted. SECTION 2. Section 4 of chapter 264 of the laws of 1899 is hereby amended by striking out the following part thereof commencing at the end of line thirteenth, and the decision of such board on such application shall be final and conclusive and not subject to review or reversal except by the board," so that said section when amended shall read as follows: Section 4. Said board shall have exclusive control and management of the fund mentioned in this act and all money donated, paid or assessed for the relief or pensioning of disabled, superannuated or retired members of the fire department, their widows and children, the same to be placed by the treasurers of such city to the credit of such fund subject to the orders of such board. The said board shall make all the needful rules and regulations for its government in the discharge of its duties and for the control of such fund; and shall hear and decide all applications for relief or pensions under this act. The board shall cause to be kept by its secretary a record of all its meetings and proceedings.

Revision of pensions. SECTION 3. Section 9 of chapter 264 of the laws of 1899 is hereby amended by striking out the word "thirty" at the end of the twenty-first line of said section and inserting in lieu thereof the word "twenty-five," and by striking out the word "twenty-five where the same occurs in the twenty-fifth line of said section 9 and inserting in lieu thereof the word "thirty."

Pensions on retirement. SECTION 4. Section 10 of said chapter 264 of the laws of 1899 is hereby amended by striking out the words "after becoming fifty years of age and" in the second and third line of said section and by striking out the words "of which the last two shall be continuous" in the fourth and fifth line thereof and by striking out the following of said section 10 commencing with line seven "and if after a medical examination ordered by said board such member shall be found incapacitated for performing active service in such department he may be retired," so that said section when amended shall read as follows: Section 10. Any member of the fire department of any such city having served twenty-two years or more in such department, may make application to said board to be retired from such department or he may be retired by the said board of its own motion; in either which case the said board shall order and direct that such member shall be paid a monthly pension according to his grade as set forth in the foregoing table. The said board upon the recommendation of the chief engineer shall have the power to assign any member retired or drawing a pension to the

performance of light duties in such department when in their judgment it shall be advisable. No person shall be entitled to receive any benefit from any such fund other than that prescribed by this act and in no event shall any allowance be paid to any widow after her remarriage or to any minor child after it attains the age of sixteen years.

SECTION 5. This act shall be in force and effect from and after its passage and publication.

Approved April 13, 1901.

No. 62, S.] [Published April 17, 1901.

CHAPTER 168.

AN ACT to provide for the cataloging and library distribution of public documents by the Wisconsin free library commission, and otherwise extending and defining the duties of said commission, and making an appropriation therefor, and adding sections 373c, 373d, 373e, 373f, 373g, 373h, and 373i, to the statutes of 1898.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

To make check list of public documents; distribution by commission; to maintain library in capitol; printing for commission; additions to library; appropriation. SECTION 1. New sections are hereby added to the statutes of 1898, to be known as sections 373c, 373d, 373e, 373f, 373g, 373h, and 373i, which shall read as follows: Section 373c. The Wisconsin free library commission is hereby authorized and directed to make an explanatory check list of the several public documents of the state, including all reports, circulars and bulletins issued by the various state departments, boards and commissions, and to publish this list, and supplementary lists as they may be required, in such form and with such notes as to show the scope and purpose of such publication; to assist state officers, members of the legislature, and other citizens who are studying the growth and development of the affairs and institutions of this state; also to assist the public libraries in the state, in completing files of such

publications and in so arranging them as to be of use to citizens of their several localities. The said free library commission is also directed to prepare and print catalog cards of said public documents for the card catalogs of the said public libraries, and for the executive and administrative departments of the state. Section 373d. The state printer is hereby directed promptly to deliver to the secretary of the commission, as printed, three copies of each message, report, journal, legislative bill, bulletin, circular, or set of bound public documents of whatever character, printed at the expense of the state. He shall also deliver to the secretary of the commission sets of the bound volumes of the public documents, and copies of each message, report, journal, bulletin or circular printed by him at the expense of the state, said delivery not to exceed in quantity one for each state normal school library or public library in the state, organized under section 931 of the statutes of 1898, containing more than one thousand volumes, and one for each of the libraries of colleges, state institutions academies or associations, possessing over one thousand volumes, as may be designated by said commission as repositories of public documents. Section 373e. The said free library commission is hereby directed to deliver one copy of each state publication, above specified, to the library of each state normal school, and to such other public, collegiate, institutional or association libraries possessing over one thousand volumes, as may by said commission, after investigations of their capacity for properly caring for the same, be designated as depositories for public documents. Section 373f. The said commission is also authorized and directed to maintain in the state capitol, for the use and information of the legislature, the several state departments, and such other citizens as may desire to consult the same, a working library, as complete as may be, of the several public documents of this and other states; and to purchase for said library standard works of use and references. The said commission is also hereby authorized and directed to co-operate, during sessions of the legislature, with the secretary and superintendent of the State Historical Society of Wisconsin, as trustee of the state, with a view to a joint arrangement, by which the needs of the legislature in the matter of general books of reference may be met to the fullest possible extent; and said commission shall give such space within its rooms to books brought to the capitol by said society for such purpose, as may be jointly agreed upon between them. Section 373g. The printing of all necessary cards for card catalogs, check lists and supplementary lists provided for in this act, shall be done by the state printer upon the order of the commissioners of printing, and the neces-

sary cards, shelving, traveling library cases and other library supplies shall be furnished by the superintendent of public property, upon warrant from the secretary of commission. Section 373h. The said free library commission is also authorized to add to its working library books of permanent value to students, and to loan such books, singly or in traveling libraries, to public libraries, schools, women's clubs, debating societies, university extension circles or students who are interested in investigating social, political and educational problems, or studying literature, science or art, and to furnish with such traveling libraries suitable outlines for study. It is the purpose of this provision to make possible in small communities by temporary supplies of good books, such serious study of worthy subjects as is not ordinarily possible to persons who have not access to large libraries, and to promote the organization and welfare of associations for serious study. Section 373i. For the purpose of carrying out the provisions of this act, there shall be and is hereby annually appropriated to the Wisconsin free library commission, from any money in the general fund not otherwise appropriated, not in addition to such sums as have been heretofore appropriated, the sum of fifteen hundred dollars, and any balance not expended in any one year may be added to the expenditure for the next ensuing year.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved April 13, 1901.

No. 240, S.] [Published April 17, 1901.

CHAPTER 169.

AN ACT to amend sub-section 29 of section 925–52, of sub-chapter 7 of chapter 40a of statutes of 1898, relating to powers of city councils.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Council may accept gifts, etc., of personal property. SECTION 1. Sub-section 29 of section 925—52 of sub-chapter 7 of chapter 40a of statutes of 1898 is hereby amended by adding at the

end thereof the following words, "and may accept gifts or bequests of personal property for like purposes: provided, however, that the common council of such city may expend such part of the income derived from such gift or legacy as they may decide is necessary to carry out any lawful purpose or condition that may have been designated by such donor," so that said section when amended will read as follows: Sub-section 29. To locate, purchase sites and let contracts for the erection and construction of public buildings, acquired by gift, grant, devise, donation, purchase or condemnation, lands for parks and other public purposes and sell, dispose of and convey the same, and may accept gifts, or bequests of personal property for like purposes, provided, however, that the common council of such city may expend such part of the income derived from such gift or legacy as they may decide is necessary to carry out any lawful purpose or condition that may have been designated by such donor.

Conflicting laws repealed. SECTION 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 13, 1901.

No. 306, S.] [Published April 17, 1901.

CHAPTER 170.

AN ACT to amend section 4269 of the statutes of 1898 and relating to damages for wrongfully cutting timber.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Effect of judgment for defendant. SECTION 1. Section 4269 of the revised statutes, is hereby amended, by adding thereto, at the end of said section, the following, viz.: And the judgment or decree of any court of general jurisdiction in this state, adjudging said defendant to be the owner of such logs, timber or lumber, and unreversed, shall be sufficient evidence of such title,

acquired in good faith, and believed to be valid, and on which such defendant may rely.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 13, 1901.

No. 137, A.] Published April 17, 1901.

CHAPTER 171.

AN ACT to amend section 458h, statutes of 1898, relating to certificates to graduates.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Certificate as to course in pedagogy; license to teach. SECTION 1. That section 458h, statutes of 1898 be amended by adding after the words "A diploma granted upon the completion of a regular collegiate course of the University of Wisconsin," the following words, "if accompanied with a certificate that the bearer has completed the course of pedagogical instruction prescribed by the university for all persons who intend to teach, or a diploma granted," so that the section shall read as follows: Section 458h. A diploma granted upon the completion of a regular collegiate course of the University of Wisconsin, if accompanied with a certificate that the bearer has completed the course of pedagogical instruction prescribed by the university for all persons who intend to teach or a diploma granted upon the completion of the full course of any state normal school in this state upon presentation to the state superintendent shall entitle the holder to receive from that officer a certificate which shall authorize him to teach in any public school for one year. The holder of a certificate granted upon the completion of the elementary course of any Wisconsin state normal school, not countersigned by the state superintendent, may present such certificate to the state superintendent and thereupon receive a certificate which shall be a license to teach in any public school for the period of one year in which such elementary certificate would authorize the holder to teach, if countersigned by the state super-

intendent. The state superintendent is hereby authorized and directed to issue the certificates herein provided for, and when issued the same shall have the force and effect of a legal license to teach in the public schools, required to be obtained before entering into contract as a teacher with any school officer.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 13, 1901.

No. 326, A.] [Published April 17, 1901.

CHAPTER 172.

AN ACT to amend chapter 322 of the laws of 1897, entitled, "An act to authorize the county of Marinette, in conjunction with the proper authorities of Michigan, to build and maintain a bridge across the Menominee river."

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Powers granted to supervisors of Marinette county. SECTION 1. That section 1 of chapter 322 of the laws of 1897 entitled, "An act to authorize the county of Marinette, in conjunction with the proper authorities of Michigan, to build and maintain a bridge across the Menominee river, approved April 23, A. D. 1897, be and the same is hereby amended so as to read as follows: Section 1. That in conjunction with the board of supervisors of Dickinson county, state of Michigan, the county board of supervisors of Marinette county, Wisconsin is hereby authorized to construct a bridge across the Menominee river at such place or places within the limits of the county of Marinette, Wisconsin, as may be agreed upon with the county board of supervisors of the county of Dickinson, state of Michigan, and whenever the said board of supervisors of said Marinette county, shall deem the same necessary, and to enter into a contract in their discretion, should they see fit with the said board of supervisors of Dickinson county, state of Michigan for the construction, maintenance and repair of said bridge

Power to appropriate money. SECTION 2. That section 2 of said chapter 322 be, and the same is hereby amended so as to read as follows: Section 2. The board of supervisors of said county of Marinette is hereby authorized to appropriate and pay from the proper fund of said county, such part of the cost of building, maintaining, repairing and rebuilding said bridge as shall be allotted to said county of Marinette, in any arrangement or agreement between said county of Marinette and the board of supervisors of said county of Dickinson, state of Michigan, respecting the building, maintaining, repairing or rebuilding of said bridge.

Bridge not to interfere with navigation. SECTION 3. That said chapter 322 is hereby further amended by adding a new section to be known as section 3, to read as follows: Section 3. That said bridge shall be constructed so as to offer reasonable and proper means for the passage of saw-logs and rafts through the same and so as not to materially interfere with the navigation of said river.

SECTION 4. This act shall take effect and be in force, from and after its passage and publication.

Approved April 13, 1901.

No. 211, A.] [Published April 17, 1901.

CHAPTER 173.

AN ACT to provide for the regulation of hotels, inns and public lodging houses.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Rope for fire escape purposes. SECTION 1. Every bed-room or sleeping apartment fronting on a street, alley, yard or other vacant ground, on any other than the ground floor, of any hotel, inn or public lodging house, shall be supplied with, and there shall be kept at all times, in plain sight and securely attached therein, a hempen rope of not less than one-half inch in diameter of sufficient length to reach to the ground outside, of sufficient strength to sustain a weight of at least five hundred pounds.

Exemptions. SECTION 2. Any hotel, inn or public lodging house supplied with suitable and sufficient fire-escapes, approved by the state factory inspector, shall not be subject to the provisions of section 1 of this act.

Penalty for failure to provide. SECTION 3. Any person keeping, maintaining or managing any hotel, inn or public lodging house, or place where sleeping accommodations are furnished to the public, in violation of any of the provisions of this act, shall be guilty of a misdemeanor, and, on conviction thereof, be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment in the common jail not less than thirty days nor more than ninety days, or both, in the discretion of the court.

SECTION 4. This act shall take effect and be in force, from and after its passage and publication.

Approved April 13, 1901.

No. 124, S.] [Published April 17, 1901.

CHAPTER 174.

AN ACT to amend section 927 of the statutes of 1898 relating to municipal water and lighting works.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Unpaid rentals to be entered in tax roll against real estate. SECTION 1. A new section is hereby added to the statutes of 1898, to be numbered and read as follows: Section 927—4. On the first day of November in each year the village treasurer or other officer authorized to audit and collect payments for the furnishing of water or lights by any village to the inhabitants thereof shall certify and report to the village clerk of said village a list of all lots or parcels of real estate to which water or lights have been furnished by the village for the preceding year, the rentals whereof, being past due, remain unpaid, and the names of the owners and occupants of said real estate to whom said water or lights have been furnished. If such rentals or dues are not paid within thirty days thereafter, the village clerk

shall insert the same in the tax roll as a delinquent tax against the property the occupants of which are so furnished with light or water, and such dues or rentals shall be a lien on the real estate to which the said water or lights were furnished, from and after the date of the tax warrant authorizing the collection of the taxes of said village, and all proceedings in relation to the collection, return and sale of property for delinquent taxes shall apply to said tax.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 13, 1901.

No. 597, A.] [Published April 17, 1901.

CHAPTER 175.

AN ACT to amend section 3219, of the statutes of 1898, relating to injunction and receiver.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Proceedings in annulment of charter of banking corporation. SECTION 1. Section 3219 of the statutes of 1898 is hereby amended by inserting between the words "issued," and "upon," in the second line of said section, the following words, "by the supreme court, upon application by the attorney general, or private party in the name of the state, for leave to commence an action for the purpose of vacating the charter, or annulling the existence of any such corporation or," so that said section when amended shall read as follows: Section 3219. Such injunction may be issued by the supreme court, upon application by the attorney general, or private party in the name of the state for leave to commence an action for the purpose of vacating the charter or annulling the existence of any such corporation or upon the commencement of such an action for the purpose of closing up the business of such corporation by the attorney general in the name of the state or by any creditor or stockholder of such corporation, or at any time thereafter upon proof of the facts required to authorize the issuing of the same.

The court may in any stage of such action appoint one or more receivers to take charge of the property and effects of such corporation and to collect, sue for and recover the debts and demands that may be due, and the property that may belong to such corporation, who shall in all respects possess the powers and authority conferred and be subject to all the obligations imposed upon receivers in other cases, and in all respects be subject to the control of the court.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 13, 1901.

No. 336, S.] [Published April 17, 1901.

CHAPTER 176.

AN ACT to amend chapter 265 of the laws of 1899, creating a pension fund for members of police departments in cities of the first class.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

What funds to be set apart. SECTION 1. Section 1 of chapter 265 of the laws of 1899 is hereby amended by striking out the word "treasurers" where the same occurs in the sixth line of said section and inserting in lieu thereof the words "common council and comptrollers," and by striking out the following, after the word "cities" in the sixth line of said section 1, to-wit: "to whom the same shall be paid as a fund," and inserting in lieu thereof the words "and retained and set apart by the treasurers of such cities," so that said section when so amended shall read as follows: Section 1. In all cities of the first class within this state, having a paid police department, one per cent. of all revenues collected or received by such cities from licenses issued by such cities, except dog licenses, shall be set apart by the common council and comptrollers of such cities and retained and set apart by the treasurers of such cities for the pensioning of disabled and superannuated members of the police depart-

ments and of the widows and orphans of deceased members thereof, and the treasurers of such cities shall be ex-officio treasurers of such fund.

Powers of board; review of decisions. SECTION 2. Section 4 of chapter 265 of the laws of 1899 is hereby amended by striking out that part of section 4 commencing in the thirteenth line thereof after the word "act" as follows: "and the decision of such board on such applications shall be final and conclusive and not subject to review or reversal, except by the board," so that the section when so amended shall read as follows: Section 4. Said board shall have exclusive control and management of the fund mentioned in this act and all moneys donated, paid or assessed for the relief or pensioning of disabled, superannuated or retired members of the police department, their widows and children, the same to be placed by the treasurer of such city to the credit of such fund subject to the orders of such board. The said board shall make all the needful rules and regulations for its government in the discharge of its duties and for the control of such fund; and shall hear and decide all applications for relief or pensions under this act. The board shall cause to be kept by its secretary a record of all its meetings and proceedings.

Qualifications necessary to receive pension. SECTION 3. Section 10 of chapter 265 of the laws of 1899 is hereby amended by striking out the following words commencing in the second line of said section: "becoming fifty years of age" and by striking out the words "of which the last two years shall be continuous" in the fourth and fifth line, and by striking out that part of section 10 commencing with the seventh line as follows: "and if after a medical examination ordered by said board, such member shall be found incapacitated from performing active service in such department, he may be retired," so that said section when so amended shall read as follows: Section 10. Any member of the police department of any such city after having served twenty-two years or more in such department, may make application to said board to be retired from such department or he may be retired by the said board of its own motion; in either which case the said board shall order and direct that such member shall be paid a monthly pension according to his grade as set forth in the foregoing table. The said board, upon the recommendation of the chief of police, shall have the power to assign any member retired or drawing pensions to the performance of light duties in such department when in their judgment it shall be advisable. No person shall be entitled to receive any benefit from any such pension fund other than that prescribed by this

act and in no event shall any allowance be paid to any widow after her re-marriage or to any minor child after it attains the age of sixteen years.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 13, 1901.

No. 102, A.] [Published April 17 ,1901.

CHAPTER 177.

AN ACT to repeal chapter 75 of the laws of Wisconsin for the year 1885, and chapter 154 of the laws of Wisconsin for the year 1887.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Acts authorizing dams on Namakagon river repealed. SECTION 1. Chapter 75 of the laws of Wisconsin for the year 1885, entitled "An act to authorize Jacob Bean and James S. O'Brien to build and maintain dams and other improvements upon the Namakagon river below the range line between ranges nine and ten," and chapter 154 of the laws of Wisconsin for the year 1887, entitled "An act to amend chapter 75 of the laws of 1885 entitled 'An act to authorize Jacob Bean and James S. O'Brien to build and maintain dams and other improvements upon the Namakagon river below ranges nine and ten,'" are and each of the said acts is hereby repealed.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 13, 1901.

No. 440, A.] [Published April 17, 1901.

CHAPTER 178.

AN ACT to amend chapter 207 of the local laws of 1867, relating to Brodhead school district.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Date of annual election. SECTION 1. That part of section 15 of said chapter, relating to the time of holding the annual election in said school district, is hereby amended by striking out the following words where they occur in said section to-wit: "the second Monday of April, one o'clock, seven o'clock," and inserting in lieu thereof the words: "the first Monday of July, two o'clock and five o'clock," so that that part of said section 15 relating to annual elections, shall read as follows: Section 15. The annual election in said district shall be held on the first Monday of July of each year, unless that be a legal holiday, in which case it shall be held on the next day. The poll at such election shall be opened at two o'clock p. m. and held opened until five o'clock p. m. of the same day.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 13 1901.

No. 155, A.] [Published April 17, 1901.

CHAPTER 179.

AN ACT to prohibit the forging or counterfeiting of railroad tickets and passes.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Penalty for making counterfeit ticket or pass. SECTION 1. Any person who shall falsely make, alter, forge or counterfeit

any railroad ticket or railroad pass, or any other instrument purporting to give the right to ride upon any train of any railroad company, with the intent to injure or defraud, shall be punished by imprisonment in the state prison, not more than seven years and not less than one year.

Penalty for tendering, using or selling. SECTION 2. Any person who shall utter, publish, pass, or tender as true, or shall sell or barter or have in his possession, with intent to utter, publish, pass, or tender as true, or to sell or barter, any false, forged, counterfeit or spurious railroad ticket, or railroad pass, or any other instrument purporting to give the right to ride upon any train of any railroad company, knowing the same to be false, forged, counterfeit or spurious, with intent to injure or defraud, shall be punished by imprisonment in the state prison not more than seven years nor less than one year.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved April 13, 1901.

No. 37, S.] [Published April 17, 1901.

CHAPTER 180.

AN ACT to appropriate the sums of money herein named to the Wisconsin industrial school for girls.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Appropriation, how expended; approval of governor. SECTION 1. There is hereby appropriated out of any money in the general fund not otherwise appropriated, to the Wisconsin industrial school for girls, the following sums of money: For the repair of buildings and care of property belonging to the state of Wisconsin, and occupied by said school at North Point, in the city of Milwaukee, during the ensuing two years, namely, 1901 and 1902, the sum of six thousand dollars; for the erection, construction, and furnishing of an additional building upon the land belonging to the state of Wisconsin and occupied by the said

Wisconsin industrial school for girls, at North Point aforesaid, the sum of thirty thousand dollars; provided, however, that no plan or plans shall be adopted and no contract or contracts shall be entered into by the Wisconsin industrial school for girls for the construction or erection of any building or other structure or thing specified in this act until such plans and contracts with estimates of the total cost thereof shall first have been submitted to and in writing approved by the governor of the state, who shall withhold such approval until he shall satisfy himself by a personal examination of the same and by such other means as he in his discretion may adopt, and that any such building, structure or thing can and will be erected and fully completed according to such plans or contracts for the sum of money not exceeding the amount hereby appropriated for such particular purpose.

Accounting of expenditures; report on. SECTION 2. A correct account shall be kept by the managers of said school, of the expenditures of said sums hereby appropriated, and the same shall be reported to the governor and legislature in the next annual or biennial reports of said school.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 15, 1901.

No. 372, S.] [Published April 17, 1901.

CHAPTER 181.

AN ACT to amend section 4069 of the statutes of 1898 relating to the competency of witnesses.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

As to transactions or communications with deceased or insane person. SECTION 1. Section 4069 of the statutes of 1898 is hereby amended by adding after the word "party" in the first line of said section the words "in his own behalf or interest," so that said section when amended shall read as follows: Section 4069. No party in his own behalf or interest and no person

from, through or under whom a party derives his interest or title, shall be examined as a witness in respect to any transaction or communication by him personally with a deceased person or with a person then insane in any civil action or proceedings in which the opposite party derives his title, or sustains his liability, to the cause of action from, through or under such deceased person or such insane person or in which such insane person is a party prosecuting or defending by guardian unless such opposite party shall first be examined or examine some other witness in his behalf concerning some transaction or communication between the deceased or insane and such party or person, or unless the testimony of such deceased person given in his lifetime or of such insane person be first read or given in evidence by the opposite party, and then, in either case respectively, only in respect to such transaction or communication of which testimony is so given or to the matters to which such testimony relates.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 15, 1901.

No. 363, S.] [Published April 17, 1901.

CHAPTER 182.

AN ACT to amend sections 1, 2 and 6 of chapter 274, laws of 1899, relating to child labor.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Places in which employment is prohibited. SECTION 1. Section 1 of chapter 274 of the laws of 1899 is hereby amended by adding the words "bowling alley, bar room or beer garden" after the word "workshop" in the third line of said section, so that said section when amended shall read as follows: Section 1. No child under fourteen years of age shall be employed at any time in any factory or workshop, bowling alley, bar room, beer garden or in or about any mine. No such child shall be employed in any mercantile establishment, laundry, or in the telegraph, telephone or public messenger service, except during the

vacation of the public schools in the town, district or city where such child is employed.

Owners to keep register of minors employed; consent of parents. SECTION 2. Section 2 of chapter 274 of the laws of 1899 is hereby amended by adding the words "bowling alley, bar room or beer garden" after the word "workshop" in the sixth, tenth, twenty-first and twenty-sixth lines of said section, so that said section when amended shall read as follows: Section 2. It shall be the duty of every person, firm or corporation, agent or manager of any firm or corporation employing minors in any mercantile establishment, store, office, laundry, manufacturing establishment, factory or workshop, bowling alley, bar room, beer garden, or in the telegraph, telephone or public messenger service within this state to keep a register in said mercantile establishment, store, office, laundry, manufacturing establishment, factory or workshop, bowling alley, bar room, beer garden, in which said minors shall be employed or permitted or suffered to work, in which register shall be recorded the name, age, date of birth, place of residence of every child employed or permitted or suffered to work therein under the age of sixteen years, and it shall be unlawful for any person, firm or corporation, agent or manager of any firm or corporation to hire or employ or to permit or suffer to work in any mercantile establishment, store, office, laundry, manufacturing establishment, factory or workshop, bowling alley, bar room, beer garden, telegraph, telephone or public messenger service, any child under the age of sixteen years unless there is first provided and placed on file in such mercantile establishment, store, office, laundry, manufacturing establishment, factory or workshop, bowling alley, bar room, beer garden, an affidavit, made by the parent stating the name, date and place of birth and name and place of the school attended by such child. If such child have no parents or guardian, then such affidavit shall be made by the child, and the register and affidavit herein provided for shall, on demand, be produced and shown for inspection to the factory inspector, assistant factory inspectors or any officer of the bureau of labor and industrial statistics.

Consent of commissioner or factory inspector to employment, when. SECTION 3. Section 6 of chapter 274 of the laws of 1899 is hereby amended by adding the words "and section 3" after the words "one" in the fourth line of said section so that said section when amended shall read as follows: Section 6. Whenever it appears upon due examination that the labor of any minor over twelve years of age, who would be debarred from em-

ployment under the provisions of section 1 and section 3 of this act is necessary for the support of the family to which said child belongs or for its own support, the county judge of the county where said child resides, the commissioner of labor or any factory or assistant factory inspector may in the exercise of their discretion issue, free of charge, a permit or excuse authorizing the employment of such minor within such time or times as they may fix.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 15, 1901.

No. 212, S.] [Published April 17, 1901.

CHAPTER 183.

AN ACT to confer upon the board of supervisors of Dane county, Wisconsin, the power of making appropriations for permanent improvements upon the Dane county fair grounds belonging to said county.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Power of county board. SECTION 1. The supervisors of Dane county, Wisconsin, shall have power to make appropriations for permanent improvements upon the Dane county fair grounds belonging to said county.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 15, 1901.

No. 466, A.] [Published April 17, 1901.

CHAPTER 184.

AN ACT amending chapter 27 of the statutes of 1898 by adding a new section to be known as 497a, relating to the review of the decisions of the state superintendent.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Limitation as to time when review may be had. SECTION 1. Chapter 27 of the statutes of 1898 is hereby amended by adding a new section, after section 497, to be known as section 497a, which section shall be and read as follows: Section 497a. No review of the decisions of the state superintendent on matters decided by him shall be had unless proceedings by certiorari or other appropriate action be brought within thirty days after such determination by him, or in cases heretofore decided by him, within thirty days after this act takes effect.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 15, 1901.

No. 73, A.] [Published April 18, 1901.

CHAPTER 185.

AN ACT authorizing F. W. Epley, his successors and assigns, to maintain a dam on Apple River in St. Croix county.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Location of dam; purposes of. SECTION 1. F. W. Epley, his successors and assigns, are hereby authorized to construct, reconstruct and maintain a dam across Apple River upon lands owned by himself, on the northeast quarter of the southwest quarter of section thirty-one, township thirty-one north, of range eighteen

west, of the fourth principal meridian, in the county of St. Croix; said dam to be constructed for the purpose of improving Apple River and for the manufacture of flour, feed and other milling products and the transmission of electric power; provided that the said dam shall not raise the water to exceed twenty feet.

Fishway. SECTION 2. Such fishway shall be maintained in said dam as may be required by the commissioners of fisheries.

Right of repeal reserved. SECTION 3. The right to repeal or amend this act is hereby reserved.

SECTION 4. This act shall take effect and be in force, from and after its passage and publication.

Approved April 15, 1901.

No. 146, A.] [Published April 18, 1901.

CHAPTER 186.

AN ACT to appropriate certain sums of money, therein named, to the several charitable, penal and reformatory institutions of the state for the purpose of defraying the current expenses thereof.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Purposes of appropriation. SECTION 1. There is hereby appropriated out of any money in the general fund in the state treasury, not otherwise appropriated, to the institutions hereinafter named, the following sums of money for the current expenses of said institutions, including painting and necessary repairs, to-wit:—to the Wisconsin state hospital for the insane to January 1, 1903, one hundred and thirty thousand dollars; to the Northern hospital for the insane to January 1, 1903, one hundred and twenty-seven thousand dollars; to the Wisconsin school for the deaf to March 1, 1903, seventy-four thousand dollars; to the Wisconsin school for the blind to March 1, 1903, sixty-five thousand dollars; to the Wisconsin industrial school for boys to January 1, 1903, one hundred thousand dollars; to the Wisconsin state prison to

March 1, 1903, eighty-seven thousand dollars; to the state public school to March 1, 1903, eighty thousand dollars; to the Wisconsin home for feeble-minded to January 1, 1903, eighty-eight thousand dollars; to the Wisconsin state reformatory to April 1, 1903, eighty thousand dollars.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 15, 1901.

No. 298, A.] [Published April 18, 1901.

CHAPTER 187.

AN ACT to prohibit the catching of brook trout in the rivers known as Brunsweiller and Trout Brook located in Ashland county until April 15, 1903.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Closed season. SECTION 1. It shall be unlawful and is prohibited, until April 15, 1903, for any person to fish for, catch or kill with any device or in any manner, any variety of trout in the rivers known as Brunsweiller and Trout Brook located in Ashland county.

Penalty for fishing in closed season. SECTION 2. Any person who shall violate any of the provisions of section 1, shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment in the county jail for not more than six months or by both such fine and imprisonment.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved April 15, 1901.

No. 462, A.] [Published April 18, 1901.

CHAPTER 188.

AN ACT to encourage attendance upon the free high schools by residents of towns and villages having no free high schools.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

When non-residents may be admitted to free high school. SECTION 1. The free high school board of any free high school district organized under the laws of this state, shall admit to the high school under its control, whenever the facilities for seating and instruction will warrant, any person of school age prepared to enter such school, who may reside in any town or incorporated village, but not within any free high school district. Persons so admitted shall be entitled to the same privileges and be subject to the same rules and regulations as pupils of the school who are residents of the free high school district.

Tuition fee; statement of. SECTION 1. Whenever persons not residing in any free high school district as herein provided, enter any free high school, the free high school board of that district shall be entitled and is hereby authorized to charge a tuition fee for such pupils not to exceed fifty cents per week. On or before the first day of July in each year, the secretary of the free high school board shall make a sworn statement to the clerk of the city, town or village from which any person may have been admitted to said free high school. Said statement shall set forth the residence, name, age and date of entrance to such school, and number of months attendance during the preceding school year of each person so admitted from such city, town or village; this statement shall show the amount of tuition which, under the provisions of this act, the district is entitled to receive for each person reported as having been a member of the school from such city, town or village, and the aggregate sum for tuition for all persons so admitted from each city, town or village.

How collected in villages. SECTION 3. The village clerk shall enter upon the tax roll of the village for the ensuing year such sums as may be due for tuition on account of residents of the village who have attended such free high school or schools, and the amounts so entered shall be collected when and

as other taxes are collected, and shall be paid by the village treasurer when so collected, to the treasurer of the free high school board or boards of the district or districts where such persons have attended the free high school or schools.

How collected in towns. SECTION 4. The clerk of any town not having within its territory a free high school district, shall enter upon the tax roll of the town for the ensuing year such sums as may be due for tuition on account of residents of the town who have attended such free high school or schools, and the amounts so entered shall be collected when and as other taxes are collected, and shall be paid by the town treasurer when so collected, to the treasurer of the free high school board or boards where such persons have attended the free high school or schools.

How collected in portion of town or city not in district. SECTION 5. The town clerk of any town or city, a portion of which constitutes or forms a part of a free high school district, shall enter upon the tax roll for that part of the town or city, not within a free high school district, such sums as may be due for tuition on account of residents of the portion of the town or city, that have attended such free high school or schools, and the amounts so entered shall be collected when and as other taxes are collected, and shall be paid by the town or city treasurer when so collected, to the treasurer of the free high school board or boards of the district or districts where such persons have attended the free high school or schools.

Conflicting laws repealed. SECTION 6. All acts or parts of acts in conflict with this act are hereby repealed.

SECTION 7. This act shall take effect and be in force from and after July 1st, 1901.

Approved April 15, 1901.

No. 122, S.] [Published April 18, 1901.

CHAPTER 189.

AN ACT authorizing the commissioners of fisheries to release a public easement in certain lands in Vernon county, Wisconsin.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Description of lands. SECTION 1. The commissioners of fisheries of the state of Wisconsin are hereby authorized to release the public easement to enter, for the purpose of fishing with hook and line, upon the north half (½) of the northeast quarter (¼) of section number twenty (20), and the north half (½) of the northwest quarter (¼) of section number twenty-one (21) of the town of Whitestown, Vernon county, Wisconsin.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 15, 1901.

No. 205, S.] [Published April 24, 1901.

CHAPTER 190.

AN ACT to amend section 1088 of chapter 49 of the statutes of 1898 relating to the collection of taxes.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

All taxes levied a lien on land; when levied on timber, etc. SECTION 1. Section 1088 of chapter 49 of the statutes of 1898 is hereby amended by striking out the words "levy of such taxes" where the same appear in the ninth line of said section, and by inserting in lieu thereof the following: "first day of May in the year in which such taxes are levied," further amend

by striking out of said section the words "not owned by any person residing in the town in which the same are situated" where they occur in lines six and seven, so that said section when so amended shall read as follows: Section 1088. All taxes levied upon any tract or parcel of land and all costs, charges and interest thereon shall be a lien thereon until paid except as otherwise provided by law; and all costs and expenses which shall accrue jointly or in the aggregate on two or more tracts or parcels shall be apportioned in equal parts upon such several tracts or parcels; and all taxes levied upon any lands and all costs, charges and interest thereon shall also be a lien on all logs, wood and timber cut upon such lands subsequent to the first day of May in the year in which such taxes are levied; and it shall be the duty of the town treasurer, or if such taxes be returned uncollected, of the county treasurer, to pursue and levy upon such logs, wood or timber, wherever the same may be, and collect such tax by distress and sale of the same in the manner provided by law for the distress and sale of personal property for the payment of taxes.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1901.

No. 285, S.] [Published April 24, 1901.

CHAPTER 191.

AN ACT relating to the assessment and taxation of buildings on leased lands at the place of location in cases where the same is personal property and to amend section 1040 of the statutes of 1898.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Personal property where to be assessed; buildings on leased lands; joint school districts. SECTION 1. Section 1040 of the statutes of 1898 is hereby amended by inserting after words "manufacturers' stock" in the seventh line of said section the following words: "buildings on leased lands when such build-

ings are personal property" so that said section when amended shall read as follows: Section 1040. All personal property shall be assessed in the assessment district where the owner resides, except as otherwise provided. If such owners be non-residents of the state or foreign associations or corporations, but having an agent residing in this state in charge of such property, then the same shall be assessed in the district where such agent resides; otherwise in the district where the same is located, except as otherwise provided. Merchants' goods, wares, commodities kept for sale, tools and machinery, manufacturers' stock, buildings on leased lands when such buildings are personal property, farm implements, cord wood, live stock and farm products, excepting grain in warehouse, shall be assessed in the district where located. Saw logs and timber which are to be sawed or manufactured in any mill within this state which is owned or leased by the owner of such logs or timber or in which such logs or timber are to be sawed or manufactured by or for the owner thereof shall be assessed as manufacturers' stock in the district where such mill may be located. Saw logs, timber, railroad ties, lumber and other articles, not being manufacturers' stock, shall be assessed where the owner or agent having the same in charge in the case aforesaid resides. No change of location or sale of any personal property after the first day of May in any year shall affect the assessment made in such year. As between school districts, the location of personal property for taxation shall be determined by the same rules as between assessment districts; provided, that whenever the owner or occupant shall reside upon any contiguous tracts or parcels of land which shall lie in two or more assessment districts, then the farm implements, live stock and farm products of such owner or occupant used, kept or being upon such contiguous tracts or parcels of land, shall be assessed in the assessment district where he resides at the time of such assessment. All saw logs, timber, railroad ties or telegraph poles cut in this state, owned by any person or corporation not residing and having no agent therein, shall be assessed in the assessment district where the same shall be banked or piled for shipment either by water or railroad. It shall be the duty of the assessor of the assessment district in which saw logs, timber, railroad ties or telegraph poles owned by non-residents as aforesaid may be located to ascertain at any time during the month of April in each year the amount of such property in his assessment district, by actual view as far as practicable, fix the value of said property and assess the same to the said owners as other personal property is valued and assessed.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1901.

No. 83, S.] [Published April 24, 1901.

CHAPTER 192.

AN ACT regulating the taxation of steam vessels, boats and other water craft.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Rate of taxation. SECTION 1. That in consideration of an annual payment into the state treasury by the owner of any steam vessel, barge, boat or other water craft, owned within this state, or hailing from any port thereof, and employed in the navigation of international waters, of a sum equal to three cents per net ton of the registered tonnage thereof, such payment shall be received in lieu of all taxes and said steam vessel, barge, boat or other water craft shall be and the same is hereby made exempt from all further taxation, either state or municipal, upon the payment of the sum herein provided.

Statement of owner; payment of tax. SECTION 2. The owner of any steam vessel, barge, boat or other water craft, hailing from any port of this state, "and employed in the navigation of international waters," desiring to comply with the terms of this act, shall annually on or before the first day of July, file with the secretary of state a verified statement, in writing, containing the name, port of hail, tonnage, and name of owner of such steam vessel, barge, boat or other water craft, and shall thereupon pay into the state treasury a sum equal to three cents per net ton of the registered tonnage of said vessel, and the treasurer shall thereupon issue his receipt therefor.

Division of tax with counties. SECTION 3. The state treasurer shall annually, on or before the first day of December, pay into the county treasury of any county wherein is located the port of hail of any steam vessel, barge or other water craft complying with this act one-half of all money so received from any

vessel or other water craft whose port of hail is within said county.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1901.

No. 297, S.] [Published April 24, 1901.

CHAPTER 193.

AN ACT relating to the disposition of estates of infants and other wards, and adding a new section to the statutes of 1898 to be numbered 3508a.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Disposal of real estate by court, when; application of act. SECTION 1. A new section is hereby added to the statutes of 1898 to be numbered and to read as follows: Section 3508a. "The courts and judges mentioned in this chapter are further empowered and authorized to make any other disposition of the real estate of any infant or other ward mentioned herein and to authorize the purchase in the name of such infant or other ward of any real estate within the state of Wisconsin when it shall be made to appear to such court or judge that such proposed disposition or purchase will substantially promote the interests of any such infant or other ward, provided that no debt shall be incurred or assumed by such infant or ward for the purchase of any such real estate. The provisions of this chapter are hereby extended and made applicable to all proceedings had under and in pursuance of this section.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 18, 1901.

No. 284, S.] [Published April 24, 1901.

CHAPTER 194.

AN ACT to amend section 925—152 of the statutes of 1898 relating to treasurers' fees.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Extension of time as to one per cent. fee; duty of treasurer. SECTION 1. Section 925—152 of the statutes of 1898 is hereby amended by striking out the words "tenth day of January" in the third line of said section, and inserting in lieu thereof the words "thirty-first day of January," so that said section when so amended shall be and read as follows: Section 925—152. The city treasurer shall be entitled to receive and collect as fees for the collection of taxes one per cent. upon all sums collected prior to or on the thirty-first day of January, and three per cent. upon all sums collected by him thereafter; and in case of a distress and sale made by him of goods or chattels for the payment of any taxes he shall receive such fees as are allowed to constables for similar services. The city treasurer shall keep in a book to be provided for that purpose true accounts of all fees by him received as treasurer from any source, and such book shall be open for inspection at all reasonable times, and he shall have on file and make return to the council, duly certified on oath, an itemized statement of all fees or other moneys received and paid out by him as treasurer; he shall receive no further compensation for his services as treasurer than is hereinbefore specified; provided, that in cities where the treasurer receives a salary the fees collected shall belong to and be paid into the treasury.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1901.

No. 283, S.] [Published April 24, 1901.

CHAPTER 195.

AN ACT to amend section 925—147 of the statutes of 1898, relating to treasurer's notice in collection of taxes.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Extension of time as to payment of taxes. SECTION 1. Section 925—147 of the statutes of 1898 is hereby amended by striking out the word "tenth," where it occurs in the third line of said section, and inserting in lieu thereof the word "thirty-first;" so that said section when so amended shall be and read as follows: Section 925—147. On the receipt of such tax roll the treasurer shall give one week's notice thereof in the official paper; such notice shall specify that the taxes must be paid on or before the thirty-first day of January following.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1901.

No. 282, S.] [Published April 24, 1901.

CHAPTER 196.

AN ACT to amend section 925—143 of the statutes of 1898 relating to tax warrants.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Duty of clerk as to tax roll; form of warrant; in cities. SECTION 1. Section 925—143 of the statutes of 1898 is hereby amended by striking out the words "last Monday of January," where they occur in the twenty-third and twenty-fourth lines of said section, and inserting in lieu thereof the words "second Monday of February," and by striking out the words "day

above specified," where they occur in the twenty-seventh line of said section, and inserting in lieu thereof the words "fifteenth day of March next," so that said section when so amended shall be and read as follows: Section 925—143. It shall be the duty of the city clerk to make out a complete tax roll in the manner and form provided by law, and as soon as practicable after the levy shall have been made by the council as prescribed in the preceding section, and the certificate of the county clerk showing the amount of state and county taxes apportioned to the city shall have been received, to cause the same to be extended upon such tax roll upon a uniform percentage by setting opposite the description of each lot, tract or parcel of land, and to the name of each person named in said roll, in proper columns, such proportionate share of the sums of taxes so levied as may be chargeable upon such lot, tract or parcel of land or against such person, and also enter and extend upon such tax roll all special assessments required to be entered thereon. To such tax roll shall be appended a warrant signed by the mayor and clerk, substantially in the following form: To ————, city treasurer of the city of ————: You are hereby required to collect from each of the persons and corporations named in the annexed tax roll, and from the owners or occupants named of the real estate described therein, the taxes set down in such roll, opposite to their respective names and to the several parcels of land therein described; and in case any person or corporation upon whom any such sum or tax is imposed shall refuse or neglect to pay the same, you are to levy and collect the same by distress and sale of the goods and chattels of the person or corporation so taxed, and out of the moneys so to be collected, after deducting your fees, you are first to pay to the treasurer of said county, on or before the second Monday of February next, the sum of ———— for state taxes, you are to retain and pay out as city treasurer according to law the sum of ————, and the balance of said moneys you are required to pay to said treasurer for county purposes on or before the fifteenth day of March next; by which day you are further required to make return to said treasurer of this warrant with said roll annexed, together with your doings thereon as required by law. Dated the —— day of ——, 19—. ————, Mayor. ————, Clerk. And in cities where the school district system is in force the city clerk shall, upon the receipt by him of the statement or statements of the amount of school tax apportioned to the part of the district or districts respectively within such city, extend the same upon the tax roll and apportion the same as required by law. And in such cities the warrant for the collection of

taxes shall, in addition to the other aforesaid directions, therein require the city treasurer to pay out according to law, from the money so collected by him, to the person or persons lawfully entitled thereto the amount of the district school tax collected by him thereunder.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1901.

No. 249, S.] [Published April 24, 1901.

CHAPTER 197.*

AN ACT to provide for binding the exchanges of the Wisconsin academy of sciences, arts and letters.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Binding of exchanges. SECTION 1. Section 341 of the revised statutes of 1898 is hereby amended by adding thereto the following: "The secretary of state may authorize the state printer to bind in suitable binding all periodicals and other exchanges which the society shall hereafter receive, at a cost not exceeding one hundred and fifty dollars. The secretary of state shall audit the accounts for such binding."

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 18, 1901.

*See chapter 447, 1901.

No. 183, S.] [Published April 24, 1901.

CHAPTER 198.

AN ACT to authorize Casper Faust, his heirs, associates and assigns, to build and maintain a dam across the Little Wolf river.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Location and purposes of dam. SECTION 1. Casper Faust, his heirs, associates and assigns, are hereby authorized to build and maintain a dam across the Little Wolf river on any lands that he or they may own or control in the southwest quarter of the southeast quarter of section numbered eight (8) in township numbered twenty-two (22) north of range numbered fourteen (14) east, for boomage, hydraulic and manufacturing purposes.

Log slides to be maintained. SECTION 2. The aforesaid persons, their heirs and assigns, shall maintain suitable slides in said dam for running logs, timber or lumber over the same and shall keep the same in repair, the same shall be kept open at all times when the river is at a driving stage and there are logs, timber or lumber to run over said dam, when it is not necessary to hold the water back to maintain sufficient head for the purposes for which the said dam is maintained.

Control of dam. SECTION 3. The control of said dam, the slides and gates of the same, shall belong to the aforesaid persons, their heirs and assigns.

Right of repeal reserved. SECTION 4. The right is hereby reserved by the legislature to amend, alter or repeal this act.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1901.

No. 184, S.] [Published April 23, 1901.

CHAPTER 199.

AN ACT to provide for the preparation of a course of study in the elements of agriculture for district schools, for courses of study for secondary schools of agriculture and domestic economy in rural communities, for courses of study in manual training and domestic economy in graded schools, and for the securing of information as to the necessary steps in obtaining properly trained teachers of agriculture, manual training, and domestic economy and making an appropriation therefor.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Duty of L. D. Harvey, as commissioner. SECTION 1. L. D. Harvey is hereby appointed a commissioner until the second Monday in January, 1903, with authority and it shall be his duty to prepare a detailed course of study in the elements of agriculture adapted to the needs of instruction in the district schools of the state; he shall also prepare courses of study for secondary schools of agriculture and domestic economy adapted to the needs of rural communities. These courses of study shall embrace the following subjects: the soil, plant life and animal life of the farm, farm accounts, manual training, and domestic economy. He shall prepare a syllabus of the course of study in each subject, in such detail and with such elaboration of the body of knowledge to be considered, as may be necessary for the organization and administration of the courses of instruction in these branches.

As to cost of introduction of courses in graded and village schools. SECTION 2. He shall investigate and determine the character, extent, and cost of courses of instruction in manual training and domestic economy adapted to graded schools, in operation in the cities of this and other countries, and through bulletins and public addresses give information to school boards and communities as to courses and character of instruction which have proved most satisfactory under trial, and which seem best adapted to the needs of city and village schools in Wisconsin.

As to where best teachers may be found. SECTION 3. He shall determine where the most thoroughly trained and best equipped teachers of the subjects herein named may be found, and shall

formulate and recommend a plan for the organization of a training school for the preparation of teachers of these subjects.

To awaken public interest and sentiment. SECTION 4. He shall in all proper ways seek to awaken and educate public sentiment for the introduction of manual training and domestic economy as subjects of instruction in the graded schools, and for the introduction of instruction in agriculture and domestic economy in the public schools established and maintained for rural communities, and shall make such investigations as may be necessary for the proper performance of his duties as prescribed by this act.

Report as to investigations. SECTION 5. The commissioner shall make final report of his investigations and findings under the provisions of this act to the governor on or before January fifteenth, 1903. The state superintendent is hereby authorized to publish from time to time, such bulletins of information prepared by the said commissioner as shall seem to him advantageous.

Compensation of commissioner. SECTION 6. The sum of three thousand eight hundred dollars shall be paid annually for each of the years 1901 and 1902 to the said L. D. Harvey as compensation for the performance of the duties imposed by this act; such sum shall be paid in monthly installments from the amount appropriated for this purpose in the same manner as state officers are paid. The said commissioner shall be reimbursed for all actual and necessary expenses incurred in the performance of his duties, payable in the same manner and under the same conditions as the expenses of other state officers are paid.

Appropriating clause. SECTION 7. A sum of money sufficient to carry out the provisions of this act is hereby appropriated out of any money in the general fund of the treasury not otherwise appropriated.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1901.

No. 63, S.] [Published April 25, 1901.

CHAPTER 200.

AN ACT to provide a contingent fund for the prevention of Asiatic cholera and other dangerous contagious diseases and providing for an appropriation.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Amount and purposes of appropriation; approval of governor. SECTION 1. There is hereby appropriated to the state board of health, out of any moneys in the state treasury not otherwise appropriated, a sum not exceeding fifty thousand dollars for the two years ending February 1, 1903, which shall be for a fund which, by and with the advice and consent of the governor, may be drawn upon by the said board and used by it in such manner as may seem to be necessary to prevent the introduction or spread of Asiatic cholera, small pox, or other dangerous contagious diseases in the state.

Compensation of member of board. SECTION 2. Any member of the state board of health, except the secretary, who is engaged in work for the prevention or control of Asiatic cholera outside of the city in which such member resides, shall be allowed and paid for the time in which he is actually so engaged, such sum as the governor may approve, not exceeding fifteen dollars a day in addition to traveling and other necessary expenses.

Reversion of balance to general fund. SECTION 3. Any part of the money appropriated by this act which shall not have been expended before the first day of February, 1903, shall then revert to the general treasury of the state.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 23, 1901.

No. 96, S.] [Published April 25, 1901.

CHAPTER 201.

AN ACT to amend chapter 182 of the statutes of 1898 of offenses against property, relating to counterfeiting of labels and trade marks.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Penalty for use of label or trade mark without authority. SECTION 1. Chapter 182 of the statutes of 1898 is hereby amended by adding a new section after section 4463 to be known as section 4463a, which section shall read as follows: Section 4463a. Every person who shall knowingly and wilfully use or display the genuine label, name or seal, trade mark, term, design, device or form of advertisement of any person, association or union in any manner, or in or about the sale of goods or merchandise not being authorized so to do by such person, union or association, shall be deemed guilty of a misdemeanor, and shall be punished by imprisonment for not more than three months or by a fine of not more than one hundred dollars.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 23, 1901.

No. 130, S.] [Published April 25, 1901.

CHAPTER 202.

AN ACT relating to town insurance companies and amendatory of section 1927 of the statutes of 1898.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Name, what to contain; change of; filing of blanks used with insurance commissioner. SECTION 1. Section 1927 of the statutes of 1898 is hereby amended by striking out the second sentence

of the third paragraph thereof "the name of every such corporation," and inserting in lieu thereof the following: the words "Town Insurance Company" shall form part of the name of every such corporaion hereafter organized, and no corporation not organized under this section shall be entitled to use a name embodying said words, except that corporations now existing may continue their present names. Corporations organized under this section may change their name to conform hereto. The subsequent division of the territory of the towns mentioned in the articles into new towns shall not impair any power, duty or liability of such corporation. A copy of the articles, by-laws, policy, and of each blank used by any such company shall be furnished to and filed and preserved by the commissioner of insurance.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 23, 1901.

No. 616, A.] [Published April 25, 1901.

CHAPTER 203.

AN ACT to amend section 931 of the statutes of 1898, as amended by chapter 89 of the laws of 1899 relating to libraries.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Establishment and maintenance of library; treasurer of library fund. SECTION 1. Section 931 of the statutes of 1898, as amended by chapter 89 of the laws of 1899, is hereby amended by inserting at the end of said section, so amended, the following words: "In all cases, the treasurer of the city, village or town shall be ex-officio the treasurer of the fund used for library purposes, and said money shall be drawn from said treasury as the same is expended for the uses of the said library from time to time," so that said section when amended shall read as follows: Section 931. The common council of every city of the second, third or fourth classes, and the board of trustees of

every village, and the board of every town containing over one thousand inhabitants, may establish, equip and maintain a public library and reading room, or maintain and support any public library and reading room already established therein, and may annually levy and cause to be collected as other general taxes are collected, a tax upon the taxable property of such city, village or town to provide a library fund, which fund shall be kept by the treasurer separate from other money of the city, village or town, to be used exclusively to maintain such library and reading room; provided that in lieu of supporting and maintaining such a public library and reading room, the common council of every city of the classes named, having a board of education may, when deemed best for the interests of the city, levy such tax and authorize the board of education of such city to apply and expend the same in aid of the maintenance of any secular or non-sectarian public library and reading room, free to all inhabitants of such city, already established and maintained therein by any society, association or corporation, and the city treasurer shall pay on the order of such board of education to such society, association or corporation, the money so raised for such aid out of such library tax fund. In all cases the treasurer of the city, village or town shall be ex-officio the treasurer of the fund used for library purposes, and said money shall be drawn from said treasury as the same is expended for the uses of the said library from time to time.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 23, 1901.

No. 543, A.] [Published April 25, 1901.

CHAPTER 204.

AN ACT to amend chapter 122 of the laws of 1885 entitled, "An act amending the charter of the Evansville seminary and the several acts amendatory thereof."

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Annual meeting of trustees, when held. SECTION 1. Section 1 of chapter 122 laws of 1885 is hereby amended by striking out the word "Wednesday" where it occurs in the eighth line of said section and inserting in lieu thereof the word "Tuesday," so that section when so amended shall read as follows: Section 1. The first section of chapter 272 of the private and local laws of the year 1870 amending the charter of the Evansville seminary is hereby amended so as to read as follows: There shall be an annual meeting of the trustees of said seminary held in the seminary building in the village of Evansville, Rock county, Wisconsin, on Tuesday at seven o'clock p. m. on commencement day in June of each year hereafter, to elect that class of trustees whose term of office shall then expire. Such elections shall be by ballot and the persons equal to the number of trustees whose term of office then expires, receiving the highest number of votes, being not less than seven, shall be declared elected. Each and every trustee of said corporation shall be entitled to vote at such election.

SECTION 2. This section shall take effect and be in force, from and after its passage and publication.

Approved Apirl 23, 1901.

No. 504, A.] [Published April 25, 1901.

CHAPTER 205.

AN ACT to amend section 1 of chapter 317 of the laws of Wisconsin for 1899, entitled "an act to provide for the increase of the members comprising school district boards in certain cases."

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

When membership of board may be increased; vacancies, how filled. SECTION 1. Section 1 of chapter 317 of the laws of Wisconsin for 1899 is hereby amended by striking out the words "with a population according to the state census of 1895, exceeding fifteen hundred," in the second, third and fourth lines of said section; also by striking out the words "expended in the year ending July 1st, 1898," in the fifth and sixth lines of said section and inserting in their place the words, "expends annually," so that said section as amended shall read as follows: Section 1. Any school district containing within its boundaries a city in which a high school is maintained and which expends annually in the maintenance of its schools, a sum exceeding four thousand dollars, may upon determining so to do by the vote of the electors present at any annual school meeting held in such school district, have a district board comprising seven members which shall be known as the school board of the city, comprising in whole or in part such district, three of whom shall be the director, treasurer and clerk, as now provided by law, who shall each discharge the separate duties now imposed upon him by law, and shall be elected and hold office for the term now provided by law. And all directors, clerks and treasurers now in office in such districts, shall continue in their respective offices during the full term for which they were elected. The remaining four members of such district board, shall be elected as school district officers are now required to be elected, at the annual school meeting which may adopt this act; two of said four shall be elected for the period of one year and the remaining two for the period of two years and until their successors have been elected or appointed. At every succeeding annual school meeting in such district, there shall be elected in addition to a director, clerk or treasurer, as the case may be, two of such additional members of such

board, who shall hold their office for two years and until their successors are elected or appointed. In case of vacancies in the said board, such vacancies shall be filled as now provided for filling vacancies in district boards. All members of said board so elected shall be residents of such school district. Such school boards shall exercise all the powers, and discharge all the duties now imposed upon the district boards of such districts. Regular meetings of said board shall be held, and special meetings thereof may be called upon request of any three members of such board to the clerk, who shall thereupon, at least twenty-four hours before such special meeting is held, give written notice thereof to the remaining members of the board.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 23, 1901.

No. 415, A.] [Published April 25, 1901.

CHAPTER 206.

AN ACT granting power to common councils of cities and trustees of incorporated villages to license bill posters, distributors and out door advertisers.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Powers of council and trustees as to licenses of bill posters.

SECTION 1. The common council of cities and the trustees of incorporated villages, whether incorporated under the general law or under special act, shall have the power by ordinance, resolution, law or vote to license bill posters, distributors and out door advertisers and in all such cases they may fix the price of such license and prescribe the term of its continuance, and may revoke the same at pleasure.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 23, 1901.

No. 209, A.] [Published April 25, 1901.

CHAPTER 207.

AN ACT providing that the assignee of an insolvent debtor who shall make an assignment under the provisions of the laws of this state shall be considered as representing the rights and interests of the creditors of the debtor making such assignment as against fraudulent transfers, and authorizing such assignee to bring an action to set aside fraudulent transfers and conveyances of property of such insolvent debtor and adding to section 1693b of the statutes of 1898, two sections to be known as sections 1693c and 1693d.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Rights of assignee to maintain action to avoid fraudulent conveyances. SECTION 1. Section 1693b of the Wisconsin statutes of 1898, is hereby amended by adding two sections thereto, to be known as 1693c and 1693d, which shall be and read as follows: Section 1693c. In all cases of voluntary assignment for the benefit of creditors made under the provisions of the laws of this state the assignee or assignees shall be considered as representing the rights and interests of the creditors of the debtor or debtors making the assignment, as against all transfers and conveyances of property and all liens or charges thereon which would be held to be fraudulent or void as to creditors and shall have all the rights which such creditors would have to bring and maintain an action to avoid said fraudulent conveyances and transfers.

When an assignee neglects to bring action, rights of creditor; bond, etc. Section 1693d. Whenever any insolvent debtor has made any conveyance or transfer of his property, with the intent to hinder, delay or defraud his creditors, or has made or suffered any conveyance, transfer or charge upon his property, which is void, by reason of being preferential or otherwise, and shall thereafter make a general assignment for the benefit of his creditors; it shall be lawful for such assignee or his successors to commence and prosecute to judgment any proper suit or suits to vacate such fradulent conveyance, transfer or charge. If the assignee named in such assignment or his successor, shall neglect for thirty days after the making thereof,

to institute proper suit or suits to vacate such fraudulent or preferential conveyance, transfer or charge, it shall be lawful for any creditor of the assignor to institute and prosecute to judgment any such suit in the name of the assignee and for his benefit, upon giving to the assignee a bond in the sum of not less than five hundred dollars with sufficient surety resident of this state to hold the said assignee harmless from all costs or expenses to arise or accrue to him in case said suit shall be decided adversely to him; said bond to be approved by the judge of the court in which such action is to be brought. In case of recovery in such action the creditor so prosecuting the same shall be allowed out of the estate all reasonable costs and charges which he has paid or become liable to pay in prosecution of such suit or suits; such costs and expenses to be determined by the court.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 23, 1901.

No. 581, A.] [Published April 25, 1901.

CHAPTER 208.

AN ACT to authorize Albert B. Stevenson, his heirs or assigns, to construct and maintain a dock or pier in the waters of Little Sturgeon Bay, Door county Wisconsin.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Location of dock. SECTION 1. Albert B. Stevenson, his heirs or assigns, are hereby authorized and empowered to construct and maintain a dock or pier extending into the waters of Little Sturgeon Bay in front of and appurtenant to lot number three, section eleven, township twenty-seven, range twenty-four in Door county state of Wisconsin.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 23, 1901.

No. 522, A.] [Published April 25, 1901.

CHAPTER 209.

AN ACT to authorize the trustees of the state library to increase the salary of the messenger for said library.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Power of trustees. SECTION 1. The trustees of the state library are hereby authorized to fix the compensation of the messenger for the state library at one hundred dollars per month, instead of at seventy-five dollars per month as is now provided by law.

Appropriating clause. SECTION 2. There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, a sum sufficient to carry out the purpose of this act.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved April 23, 1901.

No. 189, A.] [Published April 25, 1901.

CHAPTER 210.

AN ACT authorizing the establishing of industrial or reformatory schools by any one or more counties within the state for the care, maintenance and education of incorrigible children.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Powers of county to establish school. SECTION 1. Power and authority in conformity herewith are hereby conferred upon the counties of this state, singly or jointly, having a several or joint population exceeding fifty thousand inhabitants, to establish,

erect and maintain industrial or reformatory schools for the purpose of caring for, maintaining and educating any children under the age of eighteen years who may be legally committed to any industrial school as vagrants or on conviction of any criminal offense or for incorrigible or vicious conduct. Commitments to any such school of any such children may be made by the same courts or judicial officers as are authorized by law to commit children to any other industrial school and the procedure prescribed by law for such commitments is hereby made applicable to commitments to the schools authorized by this act.

Purchase of site and erection of buildings; levy of taxes; bond issue. SECTION 2. The county board of any such county, at a general or special meeting, by a two-thirds vote of all the members thereof with the consent of the state board of control may purchase a site for such institution and erect thereon according to plans, drawings and specifications approved by said board of control, buildings for the care of such incorrigible children and levy taxes and issue bonds to defray the cost of such site and buildings and the cost of furnishing the latter for use.

Preliminary proceedings. SECTION 3. Before proceeding to the construction of such buildings, the board of any county or counties proposing to erect them, shall cause to be prepared complete plans, drawings and specifications thereof which shall be submitted to the state board of control for their approval and after approval thereof said county board may adopt said plans, drawings and specifications and proceed to contract for the construction of said buildings.

Government of school; vacancies in board; compensation. SECTION 4. Such industrial or reformatory school shall be governed by a board of three trustees. In counties maintaining a county asylum for the chronic insane, the trustees of the county asylum shall be the trustees of such industrial or reformatory schools. Otherwise said board of three trustees shall be elected by the county board at its annual meeting; at the first election the said trustees shall be elected for the term of one, two and three years respectively and thereafter one trustee shall be elected for each year for a term of three years beginning on the first Monday in January following his election and continuing until his successor is elected and qualified. Vacancies occurring from any cause shall be filled by appointment by the chairman of the county board until the next annual meeting of such board or until his successor is elected and qualified. The county board at such annual meeting shall elect a trustee for the remainder of the unexpired term. Each such trustee shall take and subscribe the

oath of office and give bonds to the county with two sufficient sureties for the faithful discharge of their duty in such sum as may be fixed by the county board. Said oath and bond shall be filed in the office of the county clerk. Such trustee shall receive the same compensation for their services as is allowed the members of the county board and shall be paid in a like manner after rendering a proper account. The treasurer of the county shall be the treasurer of said institution upon such conditions as the county board may prescribe.

Officers of school; how appointed; powers and duties of; auditing of accounts. SECTION 5. The county board, at its annual meeting, shall appoint a visiting physician, superintendent and matron of the industrial or reformatory school who shall hold their office for one year, beginning on the first Monday in January following their election and said superintendent shall take and subscribe the oath of office and give bonds, with two sufficient sureties in such sum as may be fixed by the county board for the faithful discharge of his duty. Said oath and bond to be filed in the office of the county clerk. Vacancies occurring from any cause shall be filled by appointment by the chairman of the county board for the unexpired term. The superintendent, matron and visiting physician shall receive for their services an annual salary fixed by the county board. The superintendent shall appoint all other officers and employees of said institution subject to the approval of the board of trustees. The superintendent shall under the general direction of the board of trustees, be purchasing agent for the institution. The board of trustees shall elect one of their number as president and the superintendent shall be secretary of the board of trustees. The county treasurer as ex-officio treasurer of such institution, shall keep separate accounts of all moneys appropriated or otherwise received for said institution and pay the same only upon warrant, signed by the president and secretary of the board of trustees. The board of trustees shall meet as many times as may be fixed by the county board, to audit bills and transact other business and they shall on the first day of November of each and every year, file with the county clerk their annual report; said report shall consist of the different items of purchases made by the said superintendent, the number of inmates committed to said institution and the discharge thereof by any process of law and in case any incorrigible children shall be committed to said industrial or reformatory schools from any other county, the superintendent shall report to the county board the amount so due to said county for the care and maintenance of said children so committed and he shall also further report at any and all times to

the county board any information that may be desired in connection with the management of the institution. The visiting physician shall also report to the county board as to the health of the inmates and as to the general sanitary condition of the institution and such further information as he may deem advisable or expedient. At the same time said board of trustees shall make an itemized statement of receipts and expenses for the year last ensuing and an estimate of the appropriation needed for the ensuing year.

County appropriation for maintenance. SECTION 6. The county board of any county which maintains such institution for incorrigible children shall make sufficient appropriations quarterly, in advance, for its support and maintenance, with such additional amount as may be necessary for the improvement or repair of the grounds and buildings.

Removals from state institutions to county school. SECTION 7. Whenever any counties, singly or jointly, shall erect and maintain such institution as is provided for by this act, they shall have the power and right, upon the request of the chairman of the county board and the district attorney, to at any and all times demand and receive the custody of any and all children committed as incorrigible to any state or private institution within the state of Wisconsin and for the support of which said county or counties are liable; such removal however, is to be subject to such rules as the state board of control may adopt and in case any of said state or private institutions shall refuse any demand properly made, the counties to whom the expense of caring for and maintaining said children is chargeable may at their option, refuse to pay any and all claims of said state or private institutions for the maintenance of said children after such request shall have been duly made. Any county not maintaining such industrial or reformatory school shall have the power and authority to contract with another county or counties maintaining such institution for the care, maintenance and education of its incorrigible children.

Placing of child in a home. SECTION 8. Whenever it shall be deemed advisable by the trustees of said institution to remove any child or person from any such institution of any county or counties to a place or home where they can be taken care of or adopted under the law with the consent and approval of the state board of control, they may do so.

General management. SECTION 9. Said board of trustees shall have the general management of said institution, subject

however to the approval and control of the county board of supervisors.

Erection of school by two or more counties. SECTION 10. Any two or more counties having jointly a population exceeding fifty thousand inhabitants, may upon the approval of the state board of control, unite for the purpose of erecting and maintaining a reformatory or industrial school as hereinbefore provided. The county board of each county so desiring to unite for such purpose, may by two-thirds vote of all the members, appoint three persons and all persons so appointed shall constitute a joint committee to locate a site and prepare plans and specifications for the erecting of such institution. When said site and plans and specifications are approved by each of said boards and by the state board of control, the said joint committee or a joint building commission of three persons from each county, to be appointed by said county board, shall proceed to construct the building or buildings in accordance with such plans and specifications. The cost of said site and buildings, together with such other permanent improvements as may be made from time to time thereon after deducting any donation in land or otherwise, shall be paid by the said counties in proportion to the valuation of the taxable property therein as last established by the state board of equalization. All subsequent improvements shall be made by the board of trustees when authorized to do so by the several county boards or by a joint building commission if the county boards so determine.

Management of school maintained by two or more counties. SECTION 11. After the building or buildings have been completed and accepted, the management of the institution shall be vested in a board of trustees consisting of three members from each of the counties uniting in its support. Each trustee shall subscribe to the oath of office and shall give a bond for the faithful performance of his duties in the sum of one thousand dollars, said oath of office and bond to be filed with the clerk of the county appointing such trustee. Said trustees shall be appointed by the several county boards in such manner that of the first three, one shall serve for one year, one for two and one for three years and thereafter each trustee shall serve for three years, except that vacancies shall be filled by the chairman of the county board for the unexpired term. Said board of trustees shall hold monthly meetings to audit bills and to transact business. They shall appoint all officers and employes and make all needful rules for the management of said institution subject to the approval of the state board of control and have all powers

usually vested in trustees of charitable institutions. They shall appoint one of their members as president. The superintendent of the institution may be secretary of the board of trustees and the treasurer of one of the counties may be treasurer in the discretion of the board. All payments shall be made by warrants drawn on the treasurer by the president and secretary. Each trustee shall be paid two dollars a day for the time actually employed and his actual and necessary expenses.

Settlement of accounts between counties. SECTION 12. The total current expenses of such institution, after deducting the receipts from all sources except from appropriations by the counties, shall be charged to the several counties in proportion to the number of weeks board furnished to inmates belonging to each. Estimates shall be made before the opening of the institution and each year thereafter by the board of trustees, of the amount needed for current expenses for the ensuing year and same be divided between the several counties in proportion to the estimated number of inmates to be furnished by each, and such sums shall be appropriated by the several county boards as shall be sufficient to cover said estimates and to be paid over to the treasurer of the institution as soon as collected. On the first day of each October or within thirty days thereafter, the board of trustees shall make up an itemized statement of receipts and expenses for the year ending on the last day of September, and charge up to each county the amount due for the care of its incorrigible children and credit it with the amount received and furnish a copy of said statement to the county board of each county, with estimates for the ensuing year.

Release or addition of county, in support of school. SECTION 13. At any time after the erection or organization of such school or schools hereinbefore set forth, any other county may be added to the number of counties uniting in its support, on payment to the county or counties which are so united, such equitable proportion of its cost as may be mutually agreed upon; and at any time any one of such counties may withdraw from such union upon such terms as may be agreed upon.

SECTION 14. This act shall take effect and be in force, from and after its passage and publication.

Approved April 23, 1901.

No. 54, A.] [Published April 27, 1901.

CHAPTER 211.

AN ACT to appropriate a sum of money therein mentioned to Lewis Anderson.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Purpose of appropriation. SECTION 1. There is hereby appropriated to Lewis Anderson of Camp Douglas Wisconsin, out of any moneys in the state treasury not otherwise appropriated, the sum of thirty-six dollars and fifty cents, in full compensation and settlement of his claim for loss of time and medical attendance resulting from an accidental injury to his person on the 23 day of May 1899, caused by defective machinery while employed by the state on its rifle range at Camp Douglas, Wisconsin.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 25, 1901.

No. 71, A.] [Published April 27, 1901.

CHAPTER 212.

AN ACT to refund to Jefferson county the sum of sixty-three dollars, being the tax in sixty-three actions in the county court of Jefferson county, paid by mistake into the state treasury.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Erroneous payment to state treasurer. SECTION 1. There shall be paid by the state to the county treasurer of the county of Jefferson in this state, out of any moneys not otherwise appropriated, the sum of sixty-three dollars, being the amount of tax in sixty-three actions in the county court of Jefferson county, which was paid by mistake into the state treasury instead of to

the county treasurer of such county, as provided by section 2939 of the statutes of 1898, which said amount is due to the said county of Jefferson from the state of Wisconsin, by reason of the said payment by mistake into the state treasury instead of to the county treasurer of said county.

Appropriating clause. SECTION 2. There is hereby appropriated the sum of sixty-three dollars out of any moneys in the state treasury not otherwise appropriated for above purpose.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved April 25, 1901.

No. 142, A.] [Published April 27, 1901.

CHAPTER 213.

AN ACT to amend section 771 of the statutes of 1898, relating to certificates as evidence.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Certificate of county surveyor or deputies as evidence. SECTION 1. That section 771 of the statutes of 1898 is hereby amended by inserting after the word "certificate" in the first line of said section, the following words, to-wit: "and also the official record," and also by inserting after the word "deputies" in the second line of said section the following words, to-wit: "when duly signed by him or them in his or their official capacity," so that said section when so amended shall read as follows, to-wit: Section 771. The certificate and also the official record of the county surveyor when produced by the legal custodian thereof or any of his deputies, when duly signed by him or them in his or their official capacity, shall be admitted as evidence in any court within this state, but the same may be explained or rebutted by other evidence and if any surveyor or either of his deputies be interested in any tract of land a survey of which becomes necessary, such survey may be executed

by any competent person to be appointed by the court before whom such matter may be pending.

Section 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 25, 1901.

No. 206, A.] [Published April 27, 1901

CHAPTER 214.

AN ACT relating to change of established grade of streets in cities of the first class.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Deduction of benefits in estimation of damages. SECTION 1. In every city of the first class, within this state, whether such city is organized under general or special charter, whenever the grade of any street of such city has been or shall hereafter be permanently established by ordinance, and such street actually graded to conform to such established grade, and the grade so established has been or may hereafter be changed or altered by such city, and whenever by any omission or error or other cause, the proceedings for such change of grade shall be determined to be without authority of law, illegal or unauthorized, the benefits accruing to any lot or parcel of land in consequence of the changed grade, shall be deducted in the estimation of damages.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 25, 1901.

No. 548, A.] [Published April 27, 1901.

CHAPTER 215.

AN ACT relating to the construction of sewers in cities, and amending section 925, sub-sections 216–218 and 220 of the statutes of 1898.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Assessments for sewer work; rates for; notice of. SECTION 1. Section 925—216 is hereby amended by striking out the word "after," the first word in said sub-section, and inserting in lieu thereof the word "before," so that said sub-section when amended shall read as follows: Section 925—216. Before any contract for work under this sub-chapter, to be paid for in whole or in part by such assessment shall have been entered into, the board of public works, or, if there be no such board, the officer or officers designated to discharge its duties, shall make an assessment against all lots, parts of lots and parcels of land fronting or abutting on the work so contracted to be done on each side of the same for its whole length, and which have not been before so assessed for sewerage purposes, at an even rate not exceeding two dollars nor less than twenty-five cents per linear foot on each side of the street of the whole frontage of each lot, part of lot or lots or parcel of land fronting or abutting on each side of said sewer, except corner lots which shall be assessed therefor as follows: Corner lots not sub-divided in ownership, and sub-divisions of such lots, constituting the actual corner of corner lots, subdivided in ownership, shall be entitled to a deduction in making such assessments of one-third from the aggregate of the T street lines of such corner lot or corner subdivision thereof, on all the streets in front thereof; such deduction to be made in the assessment of the longest street line of such corner lots or corner subdivisions thereof, or in case of equal street lines thereof in the assessment for the second sewer to which they are liable. Whenever any lot is subdivided which as originally platted fronts or abuts in any sewer and the subdivisions thereof are owned by different persons, no subdivisions of such lots not fronting or abutting on such sewer and not owned by the same person who owns the subdivision fronting or abutting on such sewer shall be assessed for the cost of such sewer. Before any such assessment shall be made, notice

of at least seven days shall be given by said board by publication in the official paper to the effect that such board will meet at a certain time and place for the purpose of making such assessment and that all persons interested may appear and be heard upon the matter of the assessment, and the apportionment of the expense herein provided for among the lots in the sewerage district. At least one day prior to such hearing the board shall make and file in its office a plat, report or table intelligibly exhibiting the sums to be assessed on all the lots in the district which plat report or table shall be open to public inspection.

Cost of sewers at street and alley crossings, how paid; main sewers. SECTION 2. Section 925—218 is hereby amended by striking out the words, "two dollars" where thev occur in the second line of said sub-section and inserting in lieu thereof the words, "the amount," so that said section when amended shall read as follows: Section 925—218. The cost of all sewers in street and alley crossings and of all sewers in excess of the amount per linear foot chargeable to lots and lands as provided in section 925—216 of all catch-basins for receiving water from the gutters and of the overflow pipes connecting them with the sewers of all temporary catch-basins, of repairing and cleansing of sewers and all expenditures for temporary work necessary to carry on the system of sewerage herein provided for, and all the cost of constructing sewers not provided for by special assessment, shall be paid out of the fund of the proper sewerage districts; and all cleaning and repairing of sewers and catch-basins and all temporary work necessary to be done as above stated shall be done by the authority of the board of public works, as may be necessary or by the officer or officers discharging the duties of such board. The cost of constructing the main sewers within the city limits or extending beyond the same may be paid for in whole or in part by the city out of the general fund or out of the funds of the proper sewerage district, or by abutting property owners, as the common council shall by ordinance direct.

Payment of contractor. SECTION 3. Section 925—220 is hereby amended by adding to the end of said section the words, "said certificates shall be proceeded with and shall have the like effect as other certificates given for street improvements chargeable to lots, as provided in section 925—189," so that said section when amended shall read as follows: Section 925—220. Any person to whom a contract is awarded for the construction of a sewer, shall receive in payment certificates against the lots,

parts of lots or parcels of land so as heretofore directed to be assessed, so far as the same will go in liquidation of the amount of such contract and shall be entitled to receive city orders for the balance due, payable only out of the fund of the proper district, and it shall be the duty of the board of public works, after the completion of any contract and acceptance of the work, to issue such certificates on the request of the person entitled to receive them, and where any sum is found to be due a contractor over and above the amount of certificates so to be issued and received in part payment, to certify the same to the council which may direct an order to be drawn for the payment of such sum. All certificates of special assessments for building sewers shall be signed by the mayor and clerk, countersigned by the comptroller and delivered to the persons entitled to receive the same, said certificates shall be proceeded with and shall have the like effect as other certificates given for street improvements chargeable to lots, as provided in section 925—189.

SECTION 4. This act shall take effect and be in force, from and after its passage and publication.

Approved April 25, 1901.

No. 321, A.] [Published April 27, 1901.

CHAPTER 216.

AN ACT to appropriate money for the purchase of stationery for the use of the state.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Purpose of appropriation. SECTION 1. There is hereby appropriated out of any money in the general fund not otherwise appropriated, the sum of eight thousand dollars for the purchase of stationery for the state officers and departments for the years 1901 and 1902 and for the legislative session of 1903, said sum being the amount estimated to be necessary for the purpose specified.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 25, 1901.

No. 366, S.] [Published April 30, 1901.

CHAPTER 217.

AN ACT to empower the county board to fix the salary of the sheriff, and his under-sheriff and deputies, and the number of his deputies.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Change from fee to salary system, how effected; salaries how paid; accounting for fees. SECTION 1. The county board of any county in this state may at any time, before or during the term of office of the sheriff, by resolution, change the method of compensating the sheriff, under-sheriff and deputies from fees, now provided by law, to salaries, and shall, at the same time, fix the amounts of the salaries to be paid the sheriff, under-sheriff and deputies and the number of deputies to be appointed by the sheriff and paid by the county, provided, that whenever any county board so changes the method of compensating the sheriff, under-sheriffs and deputies, and so fixes their salaries and the number of deputies, the same shall remain and be the salaries of the sheriff, under-sheriff and deputies, and shall fix the number of deputies during the term of the sheriff then in office; and the county board of such county shall, thereafter, at their annual meeting preceding the election of the sheriff, fix the amounts of the salaries of the sheriff to be elected and his under-sheriff and his deputies and the number of the deputies for the term. Such salaries shall be paid at the end of each month, and the sheriff shall keep accurate books of account, in which shall be entered from day to day, in a journal, the items of service and the fees and the name of the particular proceeding or action in which the same is rendered, and shall carry the items of charges into a ledger account, with proper reference to such journal entries; and he shall pay to the county treasurer all fees, per diem and other emoluments of whatever kind received by him, and shall at the end of each quarter of the year file with the county clerk, to be laid before the county board, a sworn statement of all such fees, per diem and emoluments collected by him or for him during the quarter of the year, and all the expenses of his office during such time. And the salaries of the sheriff, under sheriff and deputies, so paid shall be in lieu of all

fees, per diem and compensation for services rendered by them, except for keeping and maintaining prisoners in the county jail.

Repealed law. SECTION 2. Chapter 151 of the laws of 1899, being "an act relating to the appointment and salaries of under-sheriff and deputy sheriffs in all counties in this state having a population of more than one hundred thousand" is hereby repealed.

Application of act. SECTION 3. This act shall take effect and be in force from and after its passage and publication, and shall apply to all sheriffs, including those now holding office or hereafter to be elected.

Approved April 26, 1901.

No. 443, A.] [Published April 30, 1901.

CHAPTER 218.

AN ACT to provide fishways in dams and other obstructions in the Big Elk river and south fork of Flambeau river in the county of Price.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Fish commission to approve plans for fishways. SECTION 1. It shall be the duty of all persons, firms or corporations owning, managing, occupying or having in charge any dam, boom, pier or other obstruction of any kind whatsoever in, on or across the streams of Price county known as the Big Elk river and south fork of Flambeau river, to construct and maintain in or upon such dam, boom, pier or other obstruction a good and sufficient fishway which will permit the certain and easy passage of fish up and down said rivers and upon plans which shall be approved by the board of fish commissioners of the state of Wisconsin, and it shall be the duty of all such persons, firms or corporations owning, managing, occupying or having in charge any such dam, boom, pier or other obstruction in or on said rivers as aforesaid, to keep such fishways in good repair and open for the easy and free passage of fish up and down said rivers from

the first day of March until the fifteenth day of May next ensuing in each and every year.

Penalty for failure to maintain. SECTION 2. Any person, or persons, firm or corporation who shall neglect or refuse to construct or keep in repair or keep open a fishway as required by the provisions of this act, shall upon conviction thereof, be fined not less than twenty-five dollars nor more than one hundred dollars and costs of suit for each and every such offense; one-half of the fines so collected shall be paid to the complaining witness.

Conflicting laws repealed. SECTION 3. All acts or parts of acts in conflict or inconsistent with the provisions of this act be and the same are hereby repealed.

SECTION 4. This act shall take effect and be in force, from and after its passage and publication.

Approved April 26, 1901.

No. 58 S.] [Published April 30, 1901.

CHAPTER 219.

AN ACT to amend section 1337 of the statutes of 1898, relating to the removal of fences.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Removal when not required to be made. SECTION 1. Section 1337 of the Wisconsin statutes of 1898 is hereby amended by striking out the words "first day of November" in the second line of said section 1337, and by inserting in lieu thereof the words "first day of October;" so that the said section 1337 when so amended shall read as follows: "Section 1337. No person shall be required to remove any fence under the above provisions except between the first day of October and the first day of April, unless the same shall have been made within three months next before the making of the order for the removal

thereof. The provisions of this section shall not apply to cities and incorporated villages."

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 26, 1901.

No. 236, S.] [Published May 2, 1901.

CHAPTER 220.

AN ACT defining and enlarging the powers and duties of the commissioner of taxation and amending chapter 206 of the laws of 1899, and making an appropriation therefor.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

General powers; over assessors; to direct boards of review; report from town, city and village officers; information from corporations, etc.; summoning witnesses; administering oaths; investigation of county methods; reports. SECTION 1. A new section is hereby added to chapter 206 of the laws of 1899 to be numbered and read as follows: Section 3a. The commissioner shall have the power and it shall be his duty. I. To have and exercise general supervision of the system of taxation throughout the state. II. To exercise general supervision over assessors, town, city and village boards of review or equalization, and the determination and assessment of taxable property in the several towns, cities and villages by the county board of supervisors to the end that all taxable property in the state shall be placed on the assessment rolls at the true cash value, equalized between persons, companies and corporations in assessment districts and between municipalities in counties so that equality of taxation shall be secured according to the provisions of law. III. To confer with, advise and direct assessors, boards of review and county boards of supervisors as to their duties under the statutes of the state, and to direct that proceedings, actions or prosecutions be instituted to enforce the laws relating to the penalties, liabilities and punishment of public officers, persons and officers or agents of corporations for failure or neg-

lect to comply with the provisions of the statutes governing the return, assessment and taxation of property to cause complaints to be made against assessors or other taxing officers to the proper circuit judge for their removal from office for official misconduct or neglect of duty. In the execution of these powers and duties the said commissioner may call upon district attorneys who shall assist in the commencement and prosecutions of actions and proceedings for penalties, for forfeitures, removals and punishment for violation of the laws of the state in respect to the assessments and taxation of the property. IV. The commissioner shall have power to require town, city and village officers to report information as to the assessment of property, collection of taxes, the expenditure of public funds for all purposes and any other information which said commissioner may request. V. To require individuals, partnerships, companies, associations and corporations to furnish information concerning their capital, funded debt, value of property, earnings, taxes and all other facts called for so that the commissioner may ascertain the relative burdens borne by all kinds of property in the state. VI. To summon witnesses to appear and testify on the subject of the value of property, earnings, taxes, or upon any matter deemed material to the investigation of the system of taxation and the expenditure of public funds for state, county and local purposes. VII. The commissioner and each of his assistants may administer the oath to witnesses. In case any witness shall fail to obey the summons to appear, or refuse to testify such failures or refusal shall be reported to the attorney general who shall thereupon institute proceedings in the proper circuit court to compel obedience or to punish a witness for any neglect or refusal. Any person who shall testify falsely shall be guilty of, and punished for perjury. In the discretion of the commissioner, officers who serve summons and witnesses attending shall receive like compensation as officers and witnesses in the circuit court. VIII. To visit the counties in the state, unless prevented by other necessary official duties, for the investigation of the methods adopted by local assessors, boards of review and county boards of supervisors in the assessment, equalization and taxation of real and personal property; to carefully examine into all cases where evasion of proper taxation is alleged, and ascertain wherein existing laws are defective or are improperly or negligently administered; to investigate the taxation systems or [of] other states and countries, and they shall formulate and recommend such legislation as may be found necessary to prevent the evasion of just and equal taxation and for the improvement of the system of taxation in the state. IX. To

consult and confer with the governor of the state upon the subjects of taxation, the administration of the laws in relation thereto, the progress of the work, and to furnish the governor from time to time such assistance or information as he may require. X. To transmit to the governor of the state at least thirty days before the meeting of the legislature the report of the commissioner showing all the taxable property in the state and the value of the same in tabulated form with the recommendations for improvement in the system of taxation in the state and such measures as may be formulated for the consideration of the legislature. XI. To transmit copies of the report showing all the taxable property in the state and the value of the same in tabulated form with recommendations to each member of the legislature thirty days before the meeting of the legislature. XII. To perform such further duties as may be imposed on such commissioner by law.

Appropriation for salaries and expenses. SECTION 2. Section 9 of chapter 206 of the laws of 1899 is hereby amended to read as follows: Section 9. The salaries of the commissioner, his assistants and clerks, their necessary traveling expenses and all other disbursements of his office, shall be paid out of the state treasury as the salaries and expenses of other state officers are paid and a sum sufficient to carry out the provisions of this act is hereby appropriated, provided the salaries of clerks, traveling expenses and other disbursements shall not exceed the sum of ten thousand dollars in any one year.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 26, 1901.

No. 316, S.] [Published May 2, 1901.

CHAPTER 221.

AN ACT to amend chapter 270 laws for Wisconsin for the year 1899 relating to the investment of funds of stipulated premium life companies.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

In what investments may be made; purchase and sale of real estate. SECTION 1. Chapter 270 of the laws of Wisconsin for the year 1899 is hereby amended by adding a new section to be known as section 7a and to read as follows: Section 7a. Investment of funds. Any such corporation, company or association organized under the laws of this state may invest its funds and accumulations in bonds of the United States or of this state or of any city, town or village therein, or in first mortgages upon real estate worth at least twice the sum loaned, or in first mortgage bonds of any steam or electric railway, electric light or gas company incorporated under the laws of this state, or upon promissory notes secured by pledge of any such bonds or mortgages, or in like securities of other states under the same restrictions as in this state, or upon its own policies as security to the amount of the reserve provided thereon or in such other investments or securities as the commissioners of insurance may approve, and may exchange outstanding policies or certificates for stipulated premium policies and provide for the reserve in whole or in part by lien or loan on such new policies. Any such corporation may buy and hold real estate for home office purposes, sell and convey the same or any real estate acquired by foreclosure or received in satisfaction of loans.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 26, 1901.

No. 161, A.] [Published May 2, 1901.

CHAPTER 222.

AN ACT to authorize the state board of control to settle a question of disputed boundary of lands appurtenant to the home for feeble-minded in Chippewa county.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Description of disputed lands; maximum price. SECTION 1. Whereas the state is the owner of certain lands in sections four and nine, township twenty-eight, range eight west, in the county of Chippewa, and Archie McKinnon is the owner of certain other lands in sections three and ten of the township and range aforesaid adjoining said lands of the state; and whereas there is a controversy between said McKinnon and the state as to the true location of the section line between sections four and nine and sections three and ten, the line between the lands of said McKinnon and the state; now therefore the state board of control is hereby authorized to compromise said controversy with the said McKinnon and to pay him in settlement thereof a sum not exceeding two hundred and fifty dollars, and to execute any release or other instrument necessary to carry out such compromise.

Appropriating clause. SECTION 2. There is hereby appropriated out of any money in the general fund of the state treasury, not otherwise appropriated, a sum sufficient to pay said McKinnon the amount which the board of control may agree to pay him pursuant to this act.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved April 26, 1901.

No. 246, A.] [Published May 2, 1901.

CHAPTER 223.

AN ACT relating to admission of children to the state public school, and amendatory of section 573a of the Wisconsin statutes of 1898.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Age of admission; return of child to county; placing in home; compensation of person taking child to state school. SECTION 1. Section 573a of the Wisconsin statutes of 1898, is hereby amended by omitting the words "over three and" in the second line, and by adding to the said section the words "provided that the board in charge of the state school and the management of the corporations in this state organized under and by virtue of the laws of this state, for the purpose of securing homes for dependents, are required to place in worthy homes within sixty days from and after the date of receiving any and all children, and in case of a failure so to do the superintendent of the said school and the managing officer or superintendent of the said corporations are required to make a verified statement of the reasons for such failure in each and every case and every sixty days thereafter a like statement shall be filed until such child is placed in a home and this statement shall be filed with the state board of control, and shall be at all times open to the inspection of any citizen in this state. The said statement to be countersigned by the physician of the state school and by the physician of every corporation hereinbefore referred to as the case may be. And the amounts to be paid to any person as compensation for taking any child to the state school, or any child committed by any court to any of the aforementioned corporations, shall not exceed the sum of two dollars for each and every day actually and necessarily used, plus the necessary expenses, and no charge shall be made for more than one person escorting each child, and whenever practical a woman shall be employed as such escort for children under three years of age. Officers and persons directed by any court to take and deliver any children at the office of any such incorporated society, when so directed and commanded by such court, shall for so doing be entitled to receive the compensation herein provided," so that said section when so amended shall read as follows: Section 573a.

There shall be received as pupils in said school such children under fourteen years of age as are in a suitable condition of body and mind to receive instruction and who shall be found dependent upon the public for support, as hereinafter declared; provided, that in admitting children said board shall give the preference to those under twelve years of age and to dependent and indigent orphan or half orphan children of deceased soldiers and sailors of this state. Those who are received into the school, unless they are sent therefrom as hereinafter provided, shall be retained until they are sixteen years of age, and may remain after they have reached that age and until a home is provided for them, in the discretion of the board. Any child may be returned to the county from which it was sent to said school on its attaining the age of sixteen years if no home has been obtained for it, or at any time after its admission if said board be satisfied that it was unsound in mind or body at the time it was admitted or if for any other reason the board shall consider the child an improper inmate of the school. On the return of any child, pursuant to law, the guardianship of the board of control shall cease and the child so returned shall become a charge on the county from which it was sent. Said board shall give the superintendent of poor of the proper county its reasons in writing for returning such child, provided, that the board in charge of the state school and the management of the corporations in this state organized under and by virtue of the laws of this state, for the purpose of securing homes for dependents, are required to place in worthy homes within sixty days from and after the date of receiving any and all children, and in case of failure so to do, the superintendent of the said school and the managing officer or superintendent of the said corporations are required to make a verified statement of the reasons for such failure in each and every case and every sixty days thereafter a like statement shall be filed until such child is placed in a home and this statement shall be filed with the state board of control, and shall be at all times open to the inspection of any citizen of this state. The said statement to be countersigned by the physician of the state school and by the physician of every corporation hereinbefore referred to as the case may be. And the amounts to be paid to any person as compensation for taking any child to the state school, or any child committed by any court to any of the aforementioned corporations, shall not exceed the sum of two dollars for each and every day actually used, plus the necessary expenses, and no charge shall be made for more than one person escorting each child, and whenever practical a woman shall be employed as such escort for children under three years

of age. Officers and persons directed by any court to take and deliver any children at the office of any such incorporated society when so directed and committed by such court, shall for so doing be entitled to receive the compensation herein provided for.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 26, 1901.

No. 241, A.] [Published May 2, 1901.

CHAPTER 224.

AN ACT to appropriate a certain sum of money therein named to purchase sets of annotations to the Wisconsin supreme court reports for the several counties within the state, and to provide the state offices with the same.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Distribution of volumes. SECTION 1. There is hereby appropriated out of the moneys in the treasury not otherwise appropriated, the sum of twelve hundred dollars to purchase one hundred and sixty sets of Wing & Wattawa's new annotations to the Wisconsin supreme court reports, with supplement, bound in flexible morocco covers. The said sets shall be distributed to the several counties within the state as follows: two sets to each county, to be furnished to the clerk of the circuit court and to the county judge, and to be kept in the custody of those officers and to be used as a part of the Wisconsin reports now in their possession, and one each to the several state officers that now have the supreme court reports in their several offices.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 26, 1901.

No. 357, A.] [Published May 2, 1901.

CHAPTER 225.

AN ACT to authorize boards of health to inspect and regulate the sanitary condition of school houses, and other public buildings.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Powers conferred. SECTION 1. It shall be the duty of the proper officer or officers of boards of health organized under and by virtue of general or special law, to inspect the school houses and public buildings within the district over which the board appointing such officer has jurisdiction, with sufficient frequency to determine whether such buildings are kept in a sanitary condition. And the board of health of any village or town may take such measures and make such rules and regulations as they may deem most effectual for the preservation of public health and to carry out the purposes of this act; and for that purpose all the powers now conferred on boards of health in cases of contagious diseases are hereby conferred.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 26, 1901.

No. 395, A.] [Published May 2, 1901.

CHAPTER 226.

AN ACT to amend section 346 of the statutes of 1898 relating to proof reader for supreme court reporter and appropriating money therefor.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Supreme court to appoint proof reader; salary. SECTION 1. Section 346 of the statutes of 1898 is hereby amended by striking out all of said section after the words, "supreme court reporter," in the ninth line thereof and inserting in lieu thereof the following: "the person so appointed shall receive such compensation as the justices shall deem reasonable, not exceeding one hundred and twenty-five dollars per month. Said appointment shall be made in writing which shall be filed in the office of the secretary of state and the salary to be paid the appointee shall be specified therein," so that said section when amended shall read as follows: Section 346. The supreme court shall from time to time appoint, subject to removal, a competent person to report and publish such decisions and opinions of said court as they may deem important and expedient to be reported and published. Such reporter before he enters upon the duties of his office, shall execute a bond with two sufficient sureties to the state of Wisconsin in the sum of two thousand dollars, to be approved by the secretary of state, conditioned for the faithful performance of his duties as such reporter. The justices of said court may appoint a proof reader or clerk to the supreme court reporter, the person so appointed shall receive such compensation as said justices shall deem reasonable, not exceeding one hundred and twenty-five dollars per month. Said appointment shall be made in writing, which shall be filed in the office of the secretary of state, and the salary to be paid the appointee shall be specified therein.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 26, 1901.

No. 576, A.] [Published May 2, 1901.

CHAPTER 227.

AN ACT to amend section 1945e of the statutes of 1898.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Policies to be written through resident agent; unauthorized companies; power and duty of insurance commissioner. SECTION 1. Section 1945e of the statutes of 1898 is hereby amended by adding after the word "fire" where it appears in the first, fifth and fifteenth lines of said section the words "casualty or surety," so that said section when so amended shall read as follows: Section 1945e. No fire, casualty or surety insurance company not incorporated under the laws of this state shall write or cause to be written, any policy on property herein except through its resident agent duly authorized by the commissioner of insurance. Any company or person who shall solicit or place insurance in a fire, casualty or surety insurance company not authorized to do business in this state shall, in the event of the failure of such unauthorized company to pay any claim or loss within the policy issued, be liable to the insured for the amount thereof to the extent that such company would have been liable; and such company or agent shall, on satisfactory proof of violation of either of the foregoing provisions made to the commissioner of insurance, have its or his authority to transact business in this state revoked for a period of not less than ninety days, and shall not again be permitted to do business herein until all liability for such violation shall be discharged and the provisions of these statutes concerning the admission of foreign fire, casualty or surety insurance companies to do business in this state be complied with. Whenever said commissioner shall receive notice of the violation of any provision of this section he shall forthwith, in person or by his deputy, visit the office of the company or any insurance agent charged with such violation, and demand an inspection of the books and records thereof; and any company or such agent refusing to permit such inspection shall be deemed guilty of violating this section, and such commissioner shall enforce the penalties herein provided against the same. The commissioner shall receive as compensation for such inspection, ten dollars for each day he is engaged therein and be re-

imbursed his necessary traveling expenses; both of which sums he shall collect from the company, if he find the same guilty; otherwise he shall be paid and reimbursed out of any funds in his hands available for that purpose.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 26, 1901.

NO. 119, S.] [Published May 1, 1901.

CHAPTER 228.

AN ACT to provide for the organization and discipline of the Wisconsin National Guard and making an appropriation therefor.

The people of the State of Wisconsin, represented in senate and assembly, do enact as follows:

Organization of militia; name of. SECTION 1. The organized militia of this state shall be known as the Wisconsin National Guard and shall consist of not more than forty companies of infantry, one battery of artillery, one troop of cavalry, an adjutant general's department, a quarter-master's and ordnance department, a subsistence department, a medical department, a pay department and such other officers as may be required.

Military staff of governor, of what to consist. SECTION 2. The military staff of the governor shall be appointed by him and shall consist of one adjutant general, one quartermaster general, one surgeon general, each with the rank of brigadier general, one assistant adjutant general, one inspector of small arms practice and five aides-de-camp, each with the rank of colonel, one quartermaster and one paymaster, each with the rank of major, one commissary of subsistence and one additional paymaster, each with the rank of captain, and such other officers as he may require.

Previous military experience necessary to appointment on. SECTION 3. No person shall be appointed on the governor's staff who has not had previous military experience.

ADJUTANT GENERAL'S DEPARTMENT.

Adjutant general, powers and duties of; as to pension claims. SECTION 4. The adjutant general shall be chief of staff and inspector general. He shall have an office in the capitol and keep it open during the usual business hours. He shall have the custody of all military records, correspondence and other documents relating to the volunteers of this state, at any time in the service of the United States, and of the National Guard heretofore or hereafter organized, except such as are required to be filed with the governor or quartermaster general. He shall be the medium of military correspondence with the governor and perform all other duties pertaining to his office or prescribed by law. He shall on or before the first day in October in each even numbered year make a report to the governor, to be laid before the legislature, of all the transactions of his department since the last biennial report, setting forth the number, strength and condition of the national guard, and such other matters as he may deem important. He shall make and transmit to the president the annual returns required by the laws of the United States and submit to the governor a duly certified copy thereof. He shall assist all persons residing in the state of Wisconsin having claims against the United States for pensions, bounty or back pay, where such claims have arisen out of or by reason of service in the wars of the country. To this end he shall co-operate with their agents or attorneys, advise as to the legality of claims, furnish to claimants only all necessary certificates and certified abstracts from and copies of records and documents in his office, and in all practicable ways seek to secure speedy and just action upon all claims now pending or which may hereafter be filed. He shall also in cases where it may be expedient act as agent or attorney of record in prosecuting claims for such persons as may request him to do so; provided, that for any such services rendered neither he nor any of his assistants or clerks shall make any charge or demand or receive from the said claimants or any of them, directly or indirectly, any pay or compensation whatever.

To be auditor of military accounts. SECTION 5. The adjutant general shall be the auditor of military accounts, and all accounts or claims payable from the treasury of the state for military purposes shall be regularly audited by him and approved by the governor before payment. He shall cause to be prepared and issued all necessary books, blank books, blanks and forms required by his office for the National Guard. All said books, blank books,

blanks and forms shall be made to conform as nearly as practicable to those in use in the United States army.

Printing report of convention of officers of W. N. G. SECTION 6. The adjutant general may procure the printing of, and upon the order of the commissioners of public printing, the public printer shall print and deliver to him for distribution, not to exceed one thousand copies of the report of the annual convention of the officers of the National Guard which he shall distribute; provided, that such report shall not exceed one hundred and fifty pages each.

Traveling libraries for military instruction. SECTION 7. The adjutant general, subject to the approval of the governor, may purchase a traveling library of military text books for each regiment of infantry at a cost for books, boxes and transportation of not to exceed fifty dollars for each regiment annually.

Enumeration of persons liable to military duty. SECTION 8. At the time when the state census is taken in the year nineteen hundred and five and every ten years thereafter the several officers required by law to enumerate the inhabitants shall each also carefully enroll all able-bodied male citizens between the ages of eighteen and forty-five years, specifying their names, ages, occupations and residences, and whether married or unmarried, who shall reside in the territory in which he makes such enumeration, omitting from enrollment only those persons whose mental or physical incompetency is plainly apparent to such officer. Every such enrollment shall be separately made and verified and returned in the manner directed for verifying and returning the enumeration of inhabitants, and the secretary of state shall, upon the receipts of the returns thereof from the several county clerks, file the same in the office of the adjutant general. All proper blanks and instructions for such enrollment shall be prepared by the secretary of state, with the assistance of the adjutant general, subject to the approval of the governor.

QUARTERMASTER'S SUBSISTENCE AND ORDNANCE DEPARTMENT.

Quartermaster general, powers and duties of; bond. SECTION 9. The quartermaster general shall also be commissary general and chief of ordnance. He shall have an office in the capitol. He shall give a bond to the state in the sum of twenty thousand dollars with not less than four resident freeholders as sureties, which bond shall be approved by the governor and filed in the executive office and be conditioned for the faithful discharge of

the duties of his office, and delivery to his successor in office or to any other person authorized by law to receive the same, all quartermaster's stores, ordnance and ordnance stores, money and other property belonging to the state, and all books, papers and bonds in his possession or charge, pertaining to his office; and if at any time the governor shall deem such bond insufficient, he shall require him to furnish such additional bond or security as he may deem sufficient.

Accounts of; how kept; report. SECTION 10. The quartermaster general shall have charge of all the military property of the state, and carefully preserve, repair and account for the same; keep in such manner as the governor shall direct, and subject to his inspection, an account of all moneys received and expended by him; perform the customary duties of his office, and of the office of commissary general and chief of ordnance, and have the custody of all records, returns and papers pertaining to such offices; and he shall on or before the first day of October in each even numbered year render a report to the governor, to be laid before the legislature, giving a detailed statement of all moneys received and expended by him, of all military property belonging to the state and remaining on hand at the date of his last report, and such as may have come into his possession after such date, from what sources the same have been received, to whom issued or how expended, and upon whose order, and the condition of the property remaining on hand, also showing who has the possession, and the condition of all military property issued under the law, so far as the same has been reported to him. The transportation of all troops, arms, accoutrements, stores and other property and the preparation for encampments shall be contracted for by him under direction of the governor.

Issue of arms, accoutrements, ordnance stores and supplies. SECTION 11. The quartermaster general shall, subject to the approval of the governor, issue to the commanding officer of each regularly organized company, troop, battery, band, and members of the non-commissioned staff such arms, accoutrements, uniforms, quartermaster's and ordnance stores, supplies for rifle practice and such other supplies, drill regulations, text books, blanks and papers as may be necessary, taking receipts and causing proper returns to be made for the same. The quartermaster general, subject to the approval of the governor, may contract for the purchase and transportation of the supplies provided for in this section; provided, that the expenditures for such purposes shall not exceed twelve thousand dollars biennially.

Issue of transportation to officers. SECTION 12. The quartermaster general, subject to the approval of the governor, shall have authority to issue state transportation to the officers of the National Guard for use of schools of instruction, boards of survey and examination, the annual convention of the officers of the National Guard, for tours of instruction and inspection, and for use of members of the National Guard when traveling solely on official business.

Issue of ordnance stores to schools and colleges; insurance and inspection of. SECTION 13. The quartermaster general, subject to the approval of the governor, may issue ordnance stores in possession of the state, to such colleges and schools therein applying for the same for the purpose of instruction in military science, in such quantities as he may deem proper. But no ordnance stores shall be issued otherwise than as provided in this act except in case of war, insurrection or imminent public danger. The quartermaster general shall require the persons to whom such issues are made to hold the property subject to inspection at any time and he may also require it to be kept insured at the expense of the persons to whom issued for such amount as he may direct.

Allowance for labor on military reservation. SECTION 14. The quartermaster general shall have authority to draw funds from the state treasury not to exceed five hundred dollars at any one time, giving his personal receipt for the same and filing the proper vouchers therefor within sixty days thereafter, for the payment of labor at the Wisconsin state military reservation.

Custody of flags. SECTION 15. The quartermaster general shall be the custodian of all the flags and colors of Wisconsin troops engaged in any war and shall provide for their care and preservation in such manner as the governor may direct.

Issue of subsistence; accounts of, how audited. SECTION 16. The quartermaster general, during the encampments or active service of the National Guard, shall issue subsistence based upon the United States army ration, to the enlisted men, the cost of the same to be deducted from the per diem allowed each enlisted man. The subsistence accounts of the quartermaster general shall be audited by such board of officers as the governor may direct.

MEDICAL DEPARTMENT.

Organization of medical department. SECTION 17. The medical department of the national guard shall be organized as follows: The surgeon general shall be the head thereof. There shall be as many surgeons as there are regiments, two assistant surgeons for each regiment of infantry, and one for each troop of cavalry, battery, and separate battalion; said surgeons to have the rank of major, assistant surgeons to have the rank of first lieutenant mounted for the first five years of service and that of captain mounted after five years service. A hospital corps may also be organized by order of the governor.

Medical officers, how commissioned; vacancies. SECTION 18. All medical officers shall be commissioned by the governor upon the recommendation of the surgeon general, or otherwise, and any vacancies shall be filled by the promotion of the medical officer next in rank unless such promotion be waived or the governor order otherwise. No person shall be commissioned in the medical department until he shall have passed such examination as the surgeon general may direct.

Hospital stewards. SECTION 19. The surgeon general shall, on recommendation of the regimental commander, appoint one hospital steward and one acting hospital steward for each regiment of infantry, and one acting hospital steward for each troop, battery and separate battalion of infantry.

Surgeon general, powers and duties of; report. SECTION 20. The surgeon general shall, under direction of the governor, have general supervision of the selection, purchase and issue of all medical and hospital supplies and may, with the approval of the governor, purchase such supplies as may be necessary; he shall make, subject to such approval, such regulations for the government of his department as he may deem necessary; he shall submit to the governor annually on the first day of October a report with an itemized statement of the affairs and expenses of his department.

Duties of surgeons and assistants. SECTION 21. The duties of the surgeons and the assistant surgeons shall be such as may be provided for by the United States or state regulations; they shall act as examiners of applicants for admission to the National Guard, instruct the hospital corps, and advise commanding officers in sanitary matters. They may, by order of the governor, be assigned to duty with such commands as the surgeon general may recommend.

Physical examination of recruits; fee for. SECTION 22. The surgeon general, subject to the approval of the governor, shall provide for the physical examination of all recruits by regularly qualified physicians; provided, that physicians making such examinations shall be paid not to exceed forty cents for each man examined.

PAY DEPARTMENT.

Paymaster, powers of. SECTION 23. The paymaster, under orders from the governor, shall have authority to draw from the state treasury the money necessary for paying troops in camp or on active service, and shall furnish such security for the same as the state treasurer may direct. The amount due on account of the field, staff or other officers, non-commissioned staff and band, company or enlisted men, not herein enumerated, if any, shall be paid to the person to whom the same shall be due, on the properly signed and certified pay rolls.

ORGANIZATION.

Brigade organization. SECTION 24. The National Guard may, at the discretion of the governor, be organized into a brigade. The officers of the brigade shall consist of one brigadier general, who shall command the brigade; the brigade staff, which shall be appointed by the brigade commander, subject to the approval of and on commission of the governor, shall consist of one assistant adjutant general with the rank of captain mounted, one quartermaster and commissary with the rank of captain mounted, and such aides and non-commissioned staff as shall be detailed by the brigade commander from his brigade.

Infantry organization. SECTION 25. The infantry shall be organized into regiments consisting of twelve companies each, and each regiment shall be divided into three battalions of four companies each. Each regiment may have one band. All companies not needed to complete the regiments of infantry may, at the discretion of the governor, be organized into a separate battalion.

Regimental and battalion organization. SECTION 26. The regiments shall each be officered by one colonel, whose term of continuous service as such colonel shall be limited to five years, one lieutenant colonel and three majors. The regimental staff shall consist of one regimental adjutant, one quartermaster, and

one commissary, each with the rank of captain mounted, and one chaplain with the rank of captain of infantry. The regimental staff shall be appointed by the regimental commander, subject to the approval of and on the commission of the governor. The regimental non-commissioned staff shall consist of one sergeant major, one quartermaster sergeant, one commissary sergeant and two color sergeants who shall be appointed by the regimental commander from the enlisted men of his command. The battalion staff shall consist of one battalion adjutant with the rank of first lieutenant mounted, and one battalion quartermaster and commissary with the rank of second lieutenant mounted, who shall be appointed by the battalion commander, subject to the approval of the colonel and on commission of the governor, and one battalion sergeant major, who shall be appointed by the battalion commander from the enlisted men of his command.

Company, battery and troop organization. SECTION 27. Each infantry company shall consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, one quartermaster sergeant, four sergeants, six corporals, two cooks, two musicians, one artificer and not more than forty-eight nor less than twenty-five privates. A battery shall consist of one captain, two first lieutenants, one second lieutenant, one first sergeant, one stable sergeant, one quartermaster sergeant, six sergeants, twelve corporals, four artificers, two musicians, two cooks and not more than fifty-one nor less than seventeen privates. A troop shall consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, one quartermaster sergeant, six sergeants, six corporals, two cooks, two farriers and blacksmiths, one saddler, one wagoner, two trumpeters and not more than forty-three nor less than twenty privates. In time of war or in great public danger the governor may recruit the companies, battery and troop to the maximum allowed in the United States army.

Formation of company; meeting for; mustering in and election of officers; enrollment in W. N. G. SECTION 28. Whenever sixty-five persons, resident and liable to military duty, in any county shall subscribe and present to the governor an application for the organization of a military company, he may, at his discretion, detail an officer to muster such company and perfect the organization thereof; provided the whole number of companies shall not exceed the number fixed in section one of this act. Such officer shall forthwith fix a time and place of meeting for the purpose of such muster and organization and give not less than ten, nor more than thirty days' notice thereof, by publica-

tion in some newspaper published in the county or by posting notices in three or more public places therein. Such officer shall preside at such meeting, which may be adjourned from time to time, and shall provide a muster roll which each person so volunteering, who shall be accepted as competent by such officer, shall sign; and such signature and the muster roll shall be conclusive evidence that such volunteer is subject to all the obligations imposed by law upon the members of the National Guard. When at least fifty persons shall have been so mustered in, they shall proceed at such meeting to elect by ballot, under the superintendence of such officer, the several officers required by law, and a majority shall be necessary to a choice. After such election the name and rank of such officers shall be entered on the muster roll and the officer shall certify to and forward the same, together with a copy of the proceedings and notice of such meeting, to the adjutant general. If it shall appear that such organization shall have been perfected and the officers elected according to law, and the governor shall approve such organization and officers, such company shall be enrolled as a part of the National Guard, and the officers thereof be commissioned. If the governor disapprove such organization, he may, at his discretion, direct another meeting to perfect the same. If he disapprove any officer so elected he may direct another meeting or meetings to elect another instead, or may fill the position in such manner as he may deem best.

Band organization; enlistment of. SECTION 29. Each regimental band shall consist of one chief musician, one principal musician and one drum major, four sergeants, eight corporals, one cook and twelve privates. All bands shall be enlisted by the regimental commander or such officers as he may detail, and such members, except as hereinbefore provided, shall receive the same pay and allowance, except for armory rent, as other enlisted men and be held to service as other enlisted men.

OFFICERS.

Commissions, how issued and signed; rank of officers, how determined. SECTION 30. The governor shall issue commissions to all officers, elected or appointed, whose election or appointment shall be approved by him. Every commission shall be countersigned by the secretary of state and attested by the adjutant general and continue at the pleasure of the governor. Each officer so commissioned shall take and file with the adjutant general the oath of office prescribed by the constitution

and endorse a copy thereof on his commission, which shall take effect only when so endorsed. All commissioned officers shall take rank according to the date assigned them by their commissions, and when two of the same grade rank from the same date, their rank shall be determined by length of service in the National Guard, and if of equal service then by lot.

Examinations for promotion or appointments. SECTION 31. The governor may order any subordinate officer or person nominated or recommended for promotion or appointment to be examined by any competent officer or board of officers, designated in orders for that purpose, as to his qualifications for the office to which he may be recommended or appointed, and may take such action on the report of such examining officer or board of officers as he may deem to be for the best interests of the service. The governor may also require the physical examination provided for admission to the United States army.

Officers' pay. SECTION 32. Each officer while on duty during encampments or in active service shall receive the pay of an officer of equal rank in the United States army and shall furnish his own subsistence.

State funds not to be used for officers' uniforms. SECTION 33. No state funds shall be used for the purchase of uniforms or equipment for an officer.

Pay of staff officers for special service. SECTION 34. The governor may, by orders, duplicates of which shall be filed with the secretary of state, fix the pay of any member of his staff, or other members of the National Guard for any special service under orders.

Compensation of inspecting officer. SECTION 35. The compensation of the inspecting officer, making the annual inspections, shall be six hundred dollars per annum, which shall be in full for all expenses incurred by him.

Bond of commanding officer; custodian of property; duties of as to. SECTION 36. Each commanding officer to whom state military property is issued shall execute to the state a bond, with such sureties and in such form as the governor shall approve, and in a sum not less than double the value of such arms, accoutrements or stores furnished, conditioned for the faithful preservation and care of all such arms, accoutrements, moneys, or stores, as shall be by him received, to indemnify the state against loss by misuse or misapplication of any part thereof by himself or

any other person; to account for all of the same according to law, and to deliver the same to any officer lawfully entitled thereto, on demand, and to pay all sums lawfully appraised for losses or damages. Thereupon the quartermaster general shall issue such arms, accoutrements and stores, as the governor shall by order direct, which shall be as nearly as possible like those in use in the army of the United States. The commanding officer for the time being is the legal custodian of the money, property and effects of any company, band, regiment or brigade of the National Guard, whether said property is owned by said company, band, regiment or brigade, or its members collectively, or has been issued to it or any of its officers, for its use by state or United states authority, and may sue for and recover possession of the same, whenever wrongfully withheld from his custody, or the custody of the company, band, regiment or brigade.

Inspection of property; board of survey; lost military property fund. SECTION 37. All military supplies issued to any officer shall be at all times subject to inspection by the inspector general, chief of ordnance, or officer designated by the governor for such purpose, who shall report the true condition thereof. The governor may at any time require repairs to be made or defects or losses supplied; and he may, at any time, convene a board of survey to condemn quartermaster's and ordnance stores and supplies or to appraise the loss sustained by the state from injury, want of repair, defects or losses in any such quartermaster's or ordnance stores issued to any officer; which board, after reasonable notice to him and hearing his explanations or objections, shall appraise the same and make report, and the amount so appraised, when approved by the governor, shall be conclusively deemed the amount of such officer's liability on his bond therefor up to the date of such report; and he shall be compelled to pay the same into the state treasury; said payments to be placed by the state treasurer in a special fund to be known as the lost military property fund and said fund shall at all times be available for purchase by the quartermaster general, subject to the approval of the governor, of any military property needed to replace that lost or destroyed. The governor shall cause suit to be brought whenever necessary to make good any injury, want of repair or loss of any quartermaster's or ordnance stores or supplies or other state property. But if any such stores or property belonging to the state shall be lost, destroyed or damaged, without the fault or neglect of the officer responsible for the same, such officer and his sureties may, by order of the governor, on the report of a board of survey or other satisfactory proof, be relieved of all liability therefor.

Delivery of property on resignation or dismissal; custody in case of death. SECTION 38. Whenever any officer responsible for state property shall resign, be promoted, dismissed or discharged, he shall deliver the quartermaster's and ordnance stores in his possession or for which he is responsible, only to the quartermaster general, or to some person duly appointed to receive the same, who shall give such bond for its safe keeping while in his possession as the governor may direct, and take duplicate receipts therefor, one of which he shall file with the quartermaster general. A discharge shall not be issued until such officer has received certificates of non-indebtedness from the quartermaster general. His successor in office shall, before receiving such property, execute and file a bond as hereinbefore provided. In case of the death of any such officer the next in command shall immediately take charge of such quartermaster's and ordnance stores and supplies and deliver the same to the quartermaster general or some person appointed to receive the same; or, if commissioned in place of said deceased, he shall execute and file a like bond, and give duplicate receipts therefor, one of which he shall file as aforesaid.

Funds for incidental expenses; accounting of. SECTION 39. There shall be paid annually to each company commander and to each regimental and separate battalion adjutant, from the state treasury, the sum of fifty dollars. Each regimental commander shall receive annually for the incidental expenses of the regimental headquarters and staff one hundred dollars and each battalion commander fifty dollars, and each such regimental commander shall annually report to the adjutant general the disposition made of such fund.

National guard how called into active service. SECTION 40. In case of war, insurrection, rebellion, riot, invasion, resistance to the execution of the laws of this state, or of the United States, or in the event of public disaster resulting from flood, conflagration or tornado, or upon application of any marshal of the United States, the mayor of any city, or any sheriff in this state, the governor may order into active service all or any portion of the National Guard. If the governor be absent, or can not be immediately communicated with, any such civil officer may if he deems the occasion so urgent, make such application, which shall be in writing, to the commanding officer of any company battalion or regiment, who may upon approval of the adjutant general, if the danger be great and imminent, order out his command to the aid of such civil officer. Such order shall be delivered to the commanding officer, and by him immediately com

municated to each, and every subordinate officer, and every company commander receiving the same shall immediately communicate the substance thereof to each member of the company, or if any such member can not be found, a notice in writing containing the substance of such order shall be left at the last and usual place of residence of such member with some person of suitable age and discretion, to whom its contents shall be explained.

Penalty for officers' failure to obey call; excuse. SECTION 41. If any company commander or commissioned officer, receiving such order, shall fail to give such notice or shall fail to appear at the time and place ordered, prepared for duty, he shall be cashiered and be further punished by fine and imprisonment as a court martial may judge; or if any enlisted man, after being duly notified, shall refuse or neglect to appear at the time and place of rendezvous, properly prepared for duty, or fail to obey any order issued in such case, he shall be deemed a deserter, and punished by a fine of not less than fifty dollars nor more than three hundred dollars, or be imprisoned in the county jail not exceeding six months, or both; and any person who advises or endeavors to persuade any officer or soldier to refuse or neglect to appear at such place or obey such order, shall be punished by imprisonment in the county jail not exceeding six months, or a fine not exceeding one thousand dollars, or both. But physical incapacity to perform military service, dangerous sickness in the family of any such officer or enlisted man, or absence at the time such notice was served, when such absence was not intended to avoid such notice or service, and when he shall join for duty on his return, if his command is still in service, shall excuse such fault.

Encroachment on parade or drill ground; abuse of men; penalty. SECTION 42. The commanding officer of any parade or drill, and the officer in charge of any rendezvous or camp, may cause the ground selected for that purpose to be marked or designated in such a manner as not unnecessarily to obstruct travel on any public highway; and if any person, during the occupation of such ground for military purposes, shall encroach upon such bounds, or enter upon such ground without the permission of such officer, he may be arrested and kept under guard by the order of such officer until the setting of the sun of the same day, or for such reasonable time as may be necessary to procure his arrest by the civil authorities. Any such offender may be arrested and punished as for a breach of the peace. If any person shall intercept, molest, insult or abuse any officer or enlisted man while in the performance of his military duty, he may be

immediately arrested and kept confined at the discretion of the commanding officer of the force engaged in the performance of such duty, until the setting of the sun of the same day on which the offense shall have been committed, or for such reasonable time as may be necessary to procure his arrest by the civil authorities. Any such offender may be arrested and punished as for a breach of the peace.

Discharge of officer. SECTION 43. Any officer may be discharged by order of the governor.

Pay of unmounted mounted officer. SECTION 44. Any mounted officer not providing himself with and using a proper mount while on duty shall be entitled to dismounted pay only.

Authority to administer oaths. SECTION 45. All officers of the National Guard shall have authority to administer oaths of enlistment.

Retired list; eligibility of officers on. SECTION 46. All commissioned officers who may have heretofore served or who shall hereafter serve five years in the National Guard may, upon honorable retirement from the service, be carried on a roll to be established and maintained in the office of the adjutant general, which roll shall be designated the "Wisconsin National Guard Retired List" and they shall be entitled to wear, on occasions of ceremony, the uniform of the highest rank which they have held. The officers so carried on such roll may be eligible for detail or appointment by the governor, but when so detailed or appointed shall be considered as of the rank to which they have been detailed or appointed, which rank they shall hold during the period of such detail or appointment, and in case of a second retirement from active service, if the rank held by them at the time be higher than the one held by them on their first retirement, they shall be entered on said list as of the highest rank held by them. No officer whose name shall appear on said retired list shall be entitled to receive any pay or emolument whatever from the state during the time he so remains on said list, and in case he be reappointed, recommissioned or detailed therefrom, he shall be entitled to the pay and allowance provided by law for officers of the rank to which he may be detailed or appointed.

Resignation of officer; vacancies. SECTION 47. A commissioned officer may resign his commission to his immediate commanding officer, in writing, who shall properly forward the same to the adjutant general. The governor shall, by order, ac-

cept or reject the same, and, if accepted, fix the date of its taking effect. No resignation shall take effect except as so ordered. Vacancies caused by death, resignation, promotion, discharge or removal of any company officer shall be filled by the promotion of the officer of such company next in rank, subject to the approval of the governor, or they may be filled by appointment by the governor.

ENLISTED MEN.

Term of enlistment; physical examination of men. SECTION 48. Every man who shall have been mustered or enlisted in the National Guard shall be held to service therein for three years, unless sooner discharged as herein provided. The governor may require all men who enlist in the National Guard to first pass the physical examination that is required for admission to the United States Volunteer Army.

Re-enlistments; exemptions from poll taxes. SECTION 49. Any honorably discharged soldier of the National Guard may, after serving the full term of service, be re-enlisted for the term of one year. Every member of the National Guard shall be exempt from jury duty and from the payment of poll tax of every description, and every member who shall be honorably discharged after five years' service, or by reason of injury received in the line of duty, shall be forever so exempt, and also exempt from military duty in time of peace. The proper discharge certificate shall be conclusive evidence of the right to such exemption.

Discharge of enlisted men; absence from drill; dishonorable discharge and re-instatement. SECTION 50. Enlisted men shall be discharged only upon certificates signed by the company commander, and endorsed by the adjutant general, with the governor's approval. Such discharge shall not be granted until after three years' service or from absolute disability occurring after mustering in, unless the member discharged permanently removes his residence out of the county, or the governor shall order the same for other good cause. Any member who absents himself from all meetings for instruction during a period of thirty days, unless properly excused by his commanding officer, shall, in addition to all other penalties, be debarred from the exemption from jury duty, be considered a deserter, and be dishonorably discharged. Any enlisted man may be so discharged for absence from his command when called out for the suppression of riot or for any other active duty, for drunkenness, im-

moral conduct or insubordination, continued non-attendance at drills, or refusal to pay any fine properly imposed. Any enlisted man dishonorably discharged may, at the discretion of the governor, be re-instated, provided his application for his re-instatement is approved by the officers who made the application for his discharge and provided that upon re-instatement he re-enters the service and serves out the unexpired period of his enlistment.

Pay of men at encampments and in active service. SECTION 51. Enlisted men while in attendance at the annual encampment shall be paid as follows: Each first sergeant, chief musician, principal musician, drum major, and member of a non-commissioned staff, two dollars and seventy-five cents per day; each sergeant, two dollars and fifty cents per day; each corporal, two dollars and twenty-five cents per day; each private, two dollars per day; said payments to be for each day's actual service in camp or enroute to and from the same, and to include subsistence and all other allowances not herein provided for. When men called into active service and remaining for thirty days or less, such enlisted men shall be subsisted and paid as provided in this section. If engaged in such service for more than thirty days they shall receive thereafter the pay and rations established by law for the United States army.

THE COMPANY, BANDS, TROOP AND BATTERY.

Word "company" defined. SECTION 52. Whenever the word company is used in a military sense in this act it shall be understood and construed to mean a company of infantry, troop of cavalry, or battery of artillery.

Assembling of company for instruction. SECTION 53. Each company of the National Guard shall assemble for instruction at least three times in each month, unless in the case of infantry companies excused for good and sufficient reasons by the regimental commander, and in case of the troop or battery until excused by special order of the governor.

Adoption of constitution; fines and collection of. SECTION [illegible] Each company or band may adopt such constitution, rules, by-laws, not inconsistent with the constitution and military regulations of the United States and of this state, as a majority of all the members thereof may approve; and may therein provide fines and penalties for any violation thereof, which, for

sence or refusal to appear for instruction or parade, shall not exceed five dollars, nor be less than one dollar; and all such fines and penalties shall be collectible in an action in the name of the commanding officer as plaintiff before any competent court or magistrate. Such constitution, rules or by-laws shall become operative only when approved by the governor.

Mustering out of company for negligence or insubordination; deposit of arms, etc. SECTION 55. Whenever any company shall fall below the minimum in membership, become lax in discipline, negligent in drill or other duties, insubordinate, or its members lose interest in their organization, or when, upon inspection, it shall appear to be not properly organized or conducted, or when musters and returns shall not be made, the governor may muster out the same, and may direct all arms, accoutrements and stores to be delivered up by whomsoever held, and if any person, who was a member of such disbanded company, shall appear with or retain arms or property of the state in his possession, until again mustered or enlisted in service, he shall forfeit not less than twenty-five dollars nor more than one hundred dollars.

Annual inspection. SECTION 56. At least once in each year and upon not less than three days notification to the commanding officer, an inspection shall be made of each company and band, and regimental and battalion non-commissioned staff of the National Guard by some officer appointed by the governor for that purpose, in the same manner and form prescribed for United States troops. The inspecting officer shall be furnished with the last muster roll and ordnance and quartermaster's return of such company, and shall report to the governor in writing on a form provided for that purpose.

Semi-annual muster; muster rolls, what to contain and disposition of. SECTION 57. On the last Monday of March and the last Monday of September in each year, each and every company and band of the National Guard shall be mustered by the commanding officer thereof, and duplicate muster rolls shall be made and certified by him, one of which shall be filed with the adjutant general before the twentieth day of the succeeding month. Such muster rolls shall set forth the officers in order of rank and the enlisted men in alphabetical order, distinguishing recruits since last muster, and truly state the residence, age and date of enlistment of each, and such other facts as shall be required by orders, on the forms prescribed. On said muster days every such commanding officer shall also inspect all arms, ac-

coutrements and stores and other military property issued by the state to him or his command, and make and certify an account and return thereof, in duplicate copies, one of which shall be filed with the quartermaster general before the twentieth day of the succeeding month. In such return he shall state the true number, amount and condition of such arms, accoutrements, stores and property, charging himself with the amount on hand at the time of his last return and all subsequently received, and furnishing vouchers for all returned, disposed of or lawfully expended, in such manner as shall be prescribed.

Expense allowance to companies; withholding of. SECTION 58. There shall be paid annually to each company and band of the National Guard, for such company expenses as the governor may authorize, the sum of five dollars for each member in attendance and fully uniformed at the annual inspection. The governor may order such payment to be withheld from any company or band which shall be delinquent in return or reports, neglectful of its duties, parades, drills or instruction, or guilty of any insubordination, or misapplication of its funds drawn from the state. He may require, by orders, any company or band to leave all or any part of such funds in the treasury on deposit, and direct the same to be expended for uniforms or repairs thereon, or for insurance, when and in such amounts as he may think proper and make such orders and regulations or require such security from officers, from time to time, as he may deem necessary for the proper care or expenditure of such funds or the property procured therewith.

Companies to provide armory; allowance to for rent; when to be paid. SECTION 59. Each company and band shall provide at its own expense a suitable room or building for an armory, and proper racks, frames and other needed provisions for safe keeping of the quartermaster's and ordnance stores and supplies issued by the state, and shall keep therein the same when not in lawful use, except when an armory has been provided for the entire regiment to which the company or band may be attached. When such company or band shall be found by means of the annual inspection, provided for in this chapter, to be properly organized; to have at least the minimum number of members; to be well uniformed; to be well equipped with the necessary arms, accoutrements, and to have its quartermaster's and ordnance stores in good condition; to have assembled for inspection and drill as provided by law, and if the commanding officer of such company or the officer or non-commissioned officer in charge of

such band shall have made all the muster rolls and returns required by law or orders, all of which shall be evidenced by the certificate of the adjutant general; and when such certified inspection report shall be approved by the governor, each such company shall, except as provided in chapter 365 of the laws of 1895, annually be paid, upon the receipt of its commanding officer, the following appropriations in addition to those otherwise provided for in this chapter. Each company of infantry stationed in a city containing less than fifty thousand inhabitants, according to the last state or national census, four hundred dollars. Each company of infantry stationed in a city containing more than fifty thousand inhabitants, according to such census, five hundred dollars. The troop of cavalry and battery of light artillery each eight hundred dollars and the bands each the sum of one hundred dollars. The above appropriations shall be full compensation for armory rent and for all other expenses not otherwise provided for in this chapter.

Allowance for extraordinary expenses of troop and battery. SECTION 60. The troop and battery shall receive, subject to the approval of the governor, fifteen hundred dollars annually as extra allowances for the extraordinary expenses incident to drills and instruction of mounted organizations; provided, that not more than three hundred dollars of this amount shall be paid annually unless said troop and battery shall have present at each annual inspection not less than forty-five enlisted men in complete uniform, and at each annual encampment at least forty-five enlisted men properly mounted and equipped.

Governor to prescribe rules for issuance of state property to bands. SECTION 61. The governor may, by orders, prescribe and establish such rules and regulations for the issuing of state property to bands and the giving of security therefor, the mustering, inspection, property and other returns, as he may deem proper.

ENCAMPMENTS.

Review or parade, governor may order; encampments; length of; transportation of troops; not on Sunday. SECTION 62. The governor may order all or any portion of the National Guard, and the commander of any organization thereof may order the whole or any portion of his command, stationed in any city, to assemble for instruction, parade, review or exercise, at such times and places and for such length of time as he may think

proper, or make any other orders relating thereto; provided, no organization shall be ordered to, or shall leave the limits of the county in which its station is located except by permission of the commander-in-chief. The governor may also order the National Guard, or any part thereof, into encampments for military instruction, not to exceed ten days in any year, and may fix the time and place for such encampment, provided, that no troops shall be transported on Sunday except for active military service in cases of necessity. Any troops when so ordered into camp, shall be furnished by the state with transportation, tents and camp equipage, and such other reasonable and necessary provision for the proper care and preservation of the health of the men, as may be ordered by the governor.

Camp for advanced rifle practice; transportation. SECTION 63. The governor shall have authority to order, not to exceed one in any one year, a camp for advanced instruction in rifle practice and competition; the time of the camp not to exceed six days; the attendance to be limited to such officers as the governor may direct, to the regimental teams of ten men and two alternates, the distinguished marksmen and such enlisted men as may be needed for the proper conduct of the work of the camp. The quartermaster general shall, subject to the approval of the governor, furnish necessary transportation to the officers and men and provide for the proper maintenance of the camp. Officers and men detailed for duty at this camp shall receive such pay as the governor may direct, provided such pay shall not exceed the pay for officers and men at the annual encampments.

Allowances for encampment may be withheld. SECTION 64. The allowances provided for any encampments may be withheld by order of the governor, and applied to the payment of any damage to grounds, buildings, uniforms, equipments, or any property, public or private, which may be caused by the fault or neglect of any officer or enlisted man in camp or en route to or from the same.

State military reservation; expenditures for. SECTION 65. The state camp grounds near Camp Douglas, Juneau county, shall be known as the Wisconsin State Military Reservation, and there may be expended, subject to the approval of the governor, and in addition to any special appropriations, for the maintenance, care, enlargement and improvements thereon, three thousand dollars annually.

RULES OF DISCIPLINE, ETC.

Rules and regulations of U. S. army to obtain in W. N. G. SECTION 66. The rules of discipline and the regulations of the United States army, shall, so far as the same may be applicable, constitute the rules of discipline and the regulations of the National Guard; the rules and articles of war established by congress and the war department for said army, shall be adopted so far as they may be applicable for the government of the National Guard, and the system of instruction and the drill regulations prescribed for the different arms and corps of the United States army, shall be followed in the military instruction and practice of the National Guard, and the use of any other system is forbidden.

Governor may promulgate certain rules. SECTION 67. The governor may, from time to time, make and publish rules, regulations and orders for the government of the National Guard, not inconsistent with the law, and cause the same, together with any laws relating thereto, to be printed and distributed in book form or otherwise in such numbers as he may deem necessary, and he shall have authority to provide for all books, blank books, and blanks that may be necessary for the proper discharge of the duty of all officers.

MISCELLANEOUS.

Retention of military property, penalty for; recovery of. SECTION 68. No person shall retain at any time any arms, equipments or military stores of any kind belonging to the state, unless they have been properly issued to him in pursuance of law, and he shall be permitted by proper authority to retain the same in the discharge of a public duty; and no person shall use any public arms, equipments, clothing or military stores belonging to the state for his private use. Any person violating any provisions of this section shall forfeit not less than twenty dollars nor more than fifty dollars, such forfeiture to be recovered in action brought in the name of the state on the complaint of any citizen. It shall be the duty of the district attorney of the proper county to prosecute every such action.

Military day and night; members of W. N. G. exempted from civil process during. SECTION 69. On days of military parade the National Guard, when called out by proper authority, and performing military duty, shall be considered under military discipline, and performing such duty from the rising to the set-

ting of the sun, or if performing military duty under orders after the setting of the sun, then until the rising of the sun on the next day; and no officer or enlisted man shall be subject to arrest on any civil process during the time aforesaid.

Defense of members of guard. SECTION 70. If any member of the National Guard shall be prosecuted by any civil or criminal action for any act performed by such member while in the performance of his military duty and in pursuance thereof, the action against such member may, in the discretion of the governor, be defended by counsel appointed therefor by the governor upon the recommendation of the attorney general. The costs and expenses of any such defense shall be audited by the secretary of state and paid out of the state treasury.

Uniform of W. N. G. SECTION 71. The uniform of the National Guard shall be that of the United States army, with the substitution of the state button for that of the national service.

Clerk service in adjutant general's department. SECTION 72. The governor and adjutant general may appoint a pension clerk, a volunteer service clerk, a book-keeper, and a stenographer and clerk, for the office of the adjutant general.

Appropriation. SECTION 73. There is hereby annually appropriated out of any money in the state treasury, not otherwise appropriated, a sum of money to make purchases, defray the expenses and pay all allowances authorized by this act not to exceed one hundred twenty-five thousand dollars annually, except in case of war, riot or great public calamity.

Repeal of old organization. SECTION 74. Chapter 200 of the laws of 1899, and all acts and parts of acts inconsistent or in conflict with the provisions of this act are hereby repealed.

SECTION 75. This act shall take effect and be in force from and after its passage and publication.

Approved April 27, 1901.

No. 485, A.] [Published May 2, 1901.

CHAPTER 229.*

AN ACT to extend the provisions of chapter 146 of the statutes of 1898, to dams built by towns, cities and villages for municipal purposes.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Power of municipality to construct and maintain dam; liabilities; judgments, how collected. SECTION 1. Any town, city or village, in order to create power to be used for lighting, heating, pumping and other purposes within such municipality, is hereby authorized to construct and maintain a dam or dams and necessary power house therewith, within or without any such town, city or village and to raise the water in any stream so dammed in accordance with and subject to the limitations of the provisions of chapter 146 of the statutes of 1898 so far as applicable, and all damages resulting from flowage from any dam so constructed shall be ascertained and determined in accordance with the provisions of said chapter, provided that any damage for which any such municipality may be liable shall not be a lien on any of its property, but shall be collected as other judgments against such municipalities are collected.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 26, 1901.

*See chapter 453.

No. 412, A.] [Published April 30, 1901.

CHAPTER 230.

AN ACT for the preservation of fish in Dane county.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Close season. SECTION 1. No person shall between the first day of December and the succeeding tenth day of May, take, catch or kill, or attempt to do so, any fish of any kind from the lakes in Dane county, known as Wingra, Waubesa, Kegonsa, Monona and Mendota, or from any streams or waters in said county connected with said lakes, nor shall have in his or their possession any such fish when so taken, caught or killed between the days named, and at no time during the year shall any fish be taken, or attempted to be taken from any of said lakes or waters, by the use of any spear, gun, dynamite or other explosive, or with any net; except that perch, bullheads, suckers, carp and redhorse may be caught at any time with a hook and line, and except that a spear may be used to take carp, suckers, redhorse or bullheads, on the stream between Mud lake and Lake Kegonsa and on the stream between Lake Kegonsa and the county line of Rock county from the fifteenth day of March to the first day of June.

Manner of taking. SECTION 2. Angling or trolling with the common hook and line shall be the only lawful method or manner of taking or catching any kind of fish during the open season from any of the lakes or waters aforesaid, except that minnows, other than young bass, pike or pickerel, may be taken at any time and in any manner.

Prohibited methods of taking. SECTION 3. It shall be unlawful and is prohibited, for any person to fish in, or on any of said lakes, or said waters with more than five lines to each person, nor with more than one hook attached to each line. It shall further be unlawful and is prohibited to construct upon the ice of any said lakes or said waters, any building or any enclosure of any nature whatsoever, which shall conceal the person of the occupant while engaged in fishing through the ice, or to occupy any building or enclosure while engaged in fishing through the ice.

Selling prohibited. SECTION 4. It shall be unlawful to sell or offer to sell, at any time of the year within the limits of Dane county, any small mouth yellow bass or large mouth or black bass or Oswego or green bass.

Penalty for violations of act. SECTION 5. Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof, except as otherwise herein provided, shall be adjudged to pay a fine of not less than twenty-five nor more than one hundred dollars, or in default of the payment of such fine, imprisonment in the common jail of said county for not less than thirty days nor more than ninety days; and in case of a second conviction of the same person, the court may impose punishment by a fine of not less than fifty nor more than two hundred dollars or by imprisonment in said jail for not less than sixty days or more than six months.

Shipping prohibited; taking with person. SECTION 6. It is unlawful and is prohibited for any person to ship out of Dane county any of the fish common to the lakes or waters of said county, except that during the open season any person may take with him not to exceed twenty pounds or two fish which he himself has taken or caught. Any person violating the provisions of this section shall upon conviction thereof be punished by a fine of not less than ten dollars nor more than fifty dollars, or in default of payment of such fine, imprisonment in the county jail of not less than ten days or more than thirty days.

Fish in possession during close season, evidence of illegal taking. SECTION 7. The possession in said county of any fish common to any such lakes or waters during the period of prohibition stated in the first section of this act shall be deemed prima facie evidence that the same was taken, caught or killed in said waters in violation of this act. The possession in, about or upon any said lakes or waters of a spear, except as provided in section 1 of this act, shall be prima facie evidence of an intent of its unlawful use.

Penalty for possesion during closed season. SECTION 8. It shall be unlawful for any person during the closed season before named, to have in his possession or sell or offer to sell any kind of the fish common to the lakes or waters of Dane county, except that perch, bullheads, suckers, carp or red-horse may be sold. Anyone who shall violate the provisions of this section shall upon conviction thereof, be punished by a fine of not less than ten dollars nor more than fifty dollars or in default of payment

of such fine, imprisonment in the county jail of not less than ten days nor more than thirty days.

Who charged with execution of act; rewards. SECTION 9. The sheriff of said county and his deputies and the state fish and game warden and his deputies and each and every constable in said county and the several police officers of the cities and villages in said county, are charged with the execution of the act and may arrest, with or without warrant in any part of the county, any person violating the same and bring him before the proper court for trial. The common council of the city of Madison and the common council of the city of Stoughton and the board of supervisors of any town in said county may offer and pay suitable rewards for the apprehension and conviction of any person violating the provisions of this act.

Disposition of fines. SECTION 10. One-third of the fines imposed and collected under this act, shall be paid to the person informing of the offense and prosecuting the offender to conviction, one-third shall be paid by the magistrate before whom the matter shall have been tried and the fines imposed, to the county treasurer and shall be by him designated and set apart as a fund for the protection of fish and game to reimburse the county for the moneys which it shall expend for the enforcement of the fish and game laws, and the remainder shall go to the school fund as provided by law.

Conflicting laws repealed. SECTION 11. All acts and parts of acts relating specially to the preservation of fish in said lakes and streams and conflicting with the provisions of this act, are hereby repealed.

SECTION 12. This act shall take effect and be in force, from and after its passage and publication.

Approved April 26, 1901.

No. 442, A.] [Published May 2, 1901.

CHAPTER 231.

AN ACT declaring it to be a felony to administer narcotics, anaesthetics or other stupefying drugs to enable such offender to commit a felony and to provide a penalty therefor.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Crime deemed a felony; penalty. SECTION 1. If any person shall unlawfully and wilfully administer to another, any chloroform, laudanum, chloral or other stupefying and overpowering drug, narcotic or anaesthetic agent by placing, dropping or pouring the same, or causing the same to be placed, dropped or poured, or administer the same in any other manner into or upon any food or drink intended or prepared for the use of any person, or into or upon any dish, glass or vessel into which any such food or drink is intended to be placed or poured or in any other manner or knowing the said drug, narcotic or anaesthetic agent to have been placed, dropped or poured into or upon any such food or drink, or into or upon any such dish, glass or vessel shall cause or allow or permit another to eat or drink the same with intent thereby to enable such offender or any other person to commit or with the intent to assist such offender or other person in committing any felony, every such offender shall be guilty of a felony, and being thereof convicted shall be sentenced to pay a fine not exceeding five thousand dollars or by imprisonment at hard labor in the state prison not exceeding ten years.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 26, 1901.

No. 555, A.] [Published May 2, 1901.

CHAPTER 232.

AN ACT to permit the organization and admission of re-insurance companies.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Organization how effected; capital stock; fees. SECTION 1. Any number of residents of this state, not less than nine, may form a corporation for the purpose of transacting the business of re-insurance; such re-insurance company shall transact business only with authorized insurance companies and not through agents, and such re-insurances may include all classes and kinds of insurance permitted by the statutes, provided however that any re-insurance company, organized or admitted to transact more than one class or kind of re-insurance, shall be required to have an aggregate capital equal to the capital now required by law for each kind or class of insurance, and shall be required to hold reserves in the same amount and manner as now required for each such kind or class of insurance which by the provisions of its charter, it is authorized to transact; such re-insurance company may be incorporated in the same manner as fire, life, casualty and surety corporations are now provided for and shall comply with the same laws regulating such corporations so far as the same may be applicable. Such re-insurance company shall pay the same fees and taxes now required to be paid by fire insurance companies, and shall on the first day of March of each year, file an annual statement of its business with the department of insurance.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 27, 1901.

No. 292, A.] [Published May 2, 1901.

CHAPTER 233.

AN ACT to amend paragraph 4 of section 1972b, of the statutes of 1898, relating to the report of the commissioner of insurance.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Number of reports to be printed; distribution. SECTION 1. Paragraph 4, section 1972b of the statutes of 1898 is hereby amended by striking out all after the word "distribution" in the fifth line of said paragraph and insert in lieu thereof the words "two thousand copies of the fire and marine report, two thousand five hundred copies of the life, casualty and surety report and fifteen hundred copies of the local mutual report for the use of the governor, legislature and department of insurance," so that said paragraph when so amended shall read as follows: Paragraph 4. The names and compensation of the persons employed by him, the whole mount of the expenses of his department, the amount of taxes and fees paid by each corporation and the amount and date of payment of the same to the state treasurer. There shall be printed and in readiness for distribution, two thousand copies of the fire and marine report, two thousand five hundred copies of the life, casualty and surety report and fifteen hundred copies of the local mutual report for the use of the governor, legislature and department of insurance.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 27, 1901.

No. 348, A.] [Published May 2, 1901.

CHAPTER 234.*

AN ACT to amend section 1480 of the statutes of 1898 and to provide for the destruction of noxious weeds.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

What are noxious weeds; penalty for failure to destroy. SECTION 1. That section 1480 of the statutes of 1898 be amended by inserting at the close of line seven, the words "and wild barley (*hordeum jubatum*)" so that said section, when amended, shall read as follows: Section 1480. Every person and corporation shall destroy, upon all lands which he or it shall own, occupy or control, all weeds known as Canada thistle (*Circium arvense*), burdock (*lappa officinalis*), white or ox-eye daisy (*leucan themum vulgare*), snap dragon or toad flax (*linaria vulgaris*), cockle burr (*zanthium strumarium*), sow thistle (*souchus arvensis*), sour dock and yellow dock (*rumex crispus*), mustard (*sinapis arvensis*), wild parsnip (*thapsium barbinode*) and Russian thistle (*salsola kali*) and wild barley (*hordeum jubatum*) and at such time and in such manner as shall effectually prevent them from bearing seed; and in like manner shall destroy any of the above mentioned weeds standing or growing upon any land owned, occupied or controlled by him or it, out to the center of any highway, lane or alley thereon. If such person or corporation shall fail to so destroy any such weeds within six days after being served with written notice so to do by any commissioner of noxious weeds, he shall be punished by a fine of five dollars for every day thereafter during which such neglect shall continue. Such notice may be served upon any corporation owning, occupying or controlling any land in any town, by leaving the same with any agent thereof residing or being therein, and if no agent shall reside or be therein, then by leaving such notice with any agent who shall reside or be therein, then by leaving such notice with any agent who shall reside or be in any adjoining town.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 27, 1901.

*See section 1, chapter 424.

No. 490, A.] [Published May 2, 1901.

CHAPTER 235.

AN ACT to regulate the time of serving notice of injury upon any accident or casualty insurance company, corporation or association doing business in the state of Wisconsin.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Minimum number of days notice allowed in policy. SECTION 1. It shall be unlawful for any accident or casualty insurance company, corporation or association licensed to transact business in the state of Wisconsin, its officers, employees or agents to limit by any means or in any manner the time for the service of any notice of injury that may be required of the person insured, to a less period of time than twenty full, calendar days.

How printed in policy. SECTION 2. The time, not less than twenty full, calendar days, that may be required of any insured person for serving a notice of injury as provided in section 1 of this act, shall be clearly and conspicuously written or printed upon the face of every accident or casualty insurance policy or certificate issued to any person.

Notice of injury, how served. SECTION 3. The deposit in any postoffice by any insured person, his agent or attorney, of a registered, postage prepaid letter, containing the proper notice of injury at any time within twenty full, calender days after the injury received by the assured, properly addressed to the company, corporation or association issuing the accident or casualty policy or certificate, shall be a lawful and sufficient service of any notice of injury that may be required.

Conflicting laws repealed. SECTION 4. Every act, acts or law contravening, conflicting or inconsistent with the provisions of this act are hereby repealed.

SECTION 5. This act shall take effect and be in force, from and after its passage and publication.

Approved April 27, 1901.

No. 128, S.] [Published May 2, 1901.

CHAPTER 236.

AN ACT relating to electric light plants.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

City may furnish service without limits. SECTION 1. Every city which owns and operates an electric light plant may supply light not only to such city and its inhabitants but also to dwellings or places of business outside the boundaries of such city by means of a line or lines of poles and wires extended outside of said boundaries.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 27, 1901.

No. 214, S.] [Published April 30, 1901.

CHAPTER 237.

AN ACT constituting the commissioner of taxation, the first and second assistant commissioners of taxation a state board of assessment and to repeal section 1069 of the statutes of 1898.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

To constitute state board of assessment. SECTION 1. The commissioner of taxation, the first assistant commissioner of taxation and the second assistant commissioner of taxation shall constitute a state board of assessment. The secretary of the commissioner of taxation shall be the secretary of said board.

Powers and duties of board. SECTION 2. The said board shall have access to all books, papers, documents, statements or

accounts on file or of record in any of the departments of the state. It shall have like access to all books, papers, documents, statements and accounts on file or of record in counties, towns, cities, villages and assessment districts, and the officers thereof shall in form prescribed by said board make returns to it of all information which may be called for. Said board shall have the power, by a summons signed by a member of said board and served in like manner as a subpoena issued from courts of record, to compel witnesses to attend and give evidence. Any member of the board or the secretary thereof is authorized to administer the oath to witnesses. The attendance of any witness may be compelled by attachment issued by any circuit court upon proper showing that such witness has been duly served with the summons and has refused to appear before said board. In case of the refusal of a witness to produce books, papers, documents or accounts, or to give evidence on matters material to the hearing, such refusal shall be reported to the attorney general, who shall thereupon institute proceedings in the proper circuit court to compel such witness to testify or produce books and papers and to punish him for the refusal. The person serving such summons shall receive the same compensation as now allowed to sheriffs or other officers for serving subpoenas. The person appearing before said board in obedience to the summons shall, in the discretion of the board, receive the same compensation as a witness in the circuit court, to be audited by the secretary of state on the certificate of a member of said board. Any person, co-partnership, association, company or corporation doing business in this state shall make such reports to said board as may be required, and their books, accounts and papers shall be open to the inspection and examination of said board and such such person as said board may designate.

When to meet; duty of secretary of state; assessment and journal of proceedings. SECTION 3. The state board of assessment shall meet at the capitol on the third Wednesday of May in each year and continue in session from day to day, unless adjourned for a longer time, for such period as may be necessary not later than the first day of September for the valuation of the property of the state. The secretary of state shall prepare and lay before said board the latest statistics of population, local valuation of property and such other statistical information as he may be able to obtain in relation to the several counties in the state which in his judgment will assist said board in its deliberations. The board shall carefully examine said statistics, and from all the sources of information accessible to it shall determine and assess the relative value of all property subject to taxation in

each county. It shall set down in a list all the counties, opposite to the name of each county the valuation thereof so determined by it, which shall be the full value according to its best judgment. The list so prepared shall be certified by said state board of assessment or a majority thereof and the secretary of said board as the state assessment made by the same, and be delivered with the journal of the proceedings of the board to the secretary of state. In any case where such board, through mistake or inadvertance has assessed to any county a greater or less valuation for any year than should have been assessed to such county, said board shall correct such error by adding to or subtracting from (as the case may be) the valuation of such county as determined by it at the next succeeding state assessment the amount omitted from or added to the true valuation of such county in the former state assessment in consequence of such error, and the result shall be taken as the true valuation of such county for the latter year and a final correction of such error.

Production of papers; attendance of witnesses. SECTION 4. The said board shall have the power to make such rules, orders and regulations for making and filing complaints by counties, the attendance of witnesses, the production of books, records and papers and the mode of procedure as may be deemed necessary, not inconsistent with the laws of the state.

Payment of fees and expenses. SECTION 5. The said board shall have authority to direct that the fees for the attendance of witnesses and officers and other expenses for evidence shall be paid by the county making complaint to said board which is determined adversely to such county, as justice may require, and when such costs and fees are directed to be paid by any county the amount thereof shall be certified to the secretary of state and by him apportioned to such county with the state taxes and be levied and collected upon the property of such county with said state taxes.

Statutes repealed. SECTION 6. Section 1069 of the statutes of 1898 is hereby repealed.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved April 27, 1901.

No. 80, S.] [Published May 2, 1901.

CHAPTER 238.

AN ACT to amend sub-division seven of section 1772, and section 1774 of the statutes of 1898, relating to fees to be paid by corporations when filing their articles or amendments thereto, and place of filing same.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Verified articles to be filed with secretary of state; recorded with register of deeds; fees. SECTION 1. Sub-division seven of section 1772 of the statutes of 1898 is hereby amended by striking out the following: "Such original articles or a true copy thereof, verified as such by the affidavits of two of the signers thereof, shall be recorded by the register of deeds of the county in which such corporations is located; and no corporation shall, until such articles be so left for record, have legal existence. A like verified copy and certificate of the register showing the date when such articles were left for record shall, within thirty days be filed with the secretary of state, and for failure so to do each signer of such articles shall forfeit twenty-five dollars;" where the same occurs in the seventh to the fourteenth lines inclusive, of said subdivision, and by inserting in lieu thereof the following: Such original articles or a true copy thereof, verified as such by the affidavits of two of the signers thereof shall be filed with the secretary of state. A like verified copy and certificate of the secretary of state showing the date when such articles were filed and accepted by the secretary of state, within thirty days of such filing and acceptance, shall be recorded by the register of deeds of the county in which such corporation is located, and no corporation shall, until such articles be left for record, have legal existence. "Said sub-division is hereby further amended by striking out the words fifty cents" where they occur in the twenty-fourth line of said sub-division, and inserting in lieu thereof the words "one dollar," so that said subdivision, when amended shall read as follows: "7. Such other provisions or articles, if any not inconsistent with law, as they may deem proper to be therein inserted for the interests of such corporation or the accomplishment of the purposes thereof, including, if desired, the duration of its existence. In case the cor-

poration is formed without capital stock the articles shall fix the time and place for the first meeting for the election of officers, and the signers of such articles shall give notice thereof to the members in the manner provided in the next section. Such original articles or a true copy thereof, verified as such by the affidavits of two of the signers thereof, shall be filed with the secretary of state. A like verified copy and certificate of the secretary of state, showing the date when such articles were filed and accepted by the secretary of state, within thirty days of such filing and acceptance, shall be recorded by the register of deeds of the county in which such corporation is located, and no corporation shall until such articles be left for record, have legal existence. For filing the articles of incorporation of corporations for the manufacture of beet sugar, or of butter, cheese or other dairy products there shall be paid the secretary of state ten dollars, and for filing an amendment to such articles five dollars; for filing in his office the articles of any other corporation, except as is otherwise specifically provided in these statutes, the corporations shall pay twenty-five dollars if the capital stock of the corporation is fixed therein at twenty-five thousand dollars or less, and one dollar for each additional one thousand dollars of capital stock; and every other corporation organized and doing business under the laws of this state which may hereafter increase its capital stock shall pay as a fee therefor one dollar for each one thousand dollars of increase, and, except as above provided, for filing any amendment to its articles, other than for the purpose of increasing its capital stock, shall pay ten dollars; provided, that no fee shall be required from any corporation organized without capital stock or organized exclusively for educational, benevolent, charitable or reformatory purposes, the articles of which provide that no dividends or pecuniary profits shall be declared to the members thereof." "Provided further that all corporations, organized exclusively for the purpose of mining, smelting and owning mines and minerals in the state of Wisconsin, shall pay for filing its articles of incorporation, to the secretary of state, the sum of twenty-five dollars if the capital stock is fixed at twenty-five thousand dollars or less, and one dollar for each additional one thousand dollar of its capital stock up to one hundred and fifty thousand dollars of capital stock; and on all such corporations with a capital stock in excess of one hundred and fifty thousand dollars a fee of one hundred and fifty dollars only shall be paid to the secretary of state upon filing its articles."

Increase of capital stock; amendments to articles; filing of and fees for. SECTION 2. Section 1774 of the statutes of 1898 is here-

by amended by striking out the words "shall be recorded in the office where the original articles are recorded; and the register shall note on the margin of the record of such original the volume and page where every such amendment is recorded; and no amendment shall be of effect until so recorded. Within thirty days such officers shall file a like certified copy with the secretary of state, and in case of failure so to do shall each forfeit twenty-five dollars," where the same occurs in line sixteen to twenty-two of said section and by inserting in lieu thereof the following: "Shall be filed in the office of the secretary of state and within thirty days after such filing with the secretary of state a like copy shall be recorded in the office of the register of deeds where said corporation is located; and in case of failure so to do, such officers shall each forfeit twenty-five dollars," and the register of deeds shall note on the margin of the record of the original articles, the volume and page where such amendment is recorded and no amendment shall be of effect until so recorded, and such amendment shall be void until so filed and recorded. So that said section when amended, shall read as follows: Section 1774. Any corporation organized under this chapter, may at any meeting of its members by a vote of at least the owners of two-thirds of all the stock then outstanding, in case of stock corporations, or at least one-half of the members of corporations without stock, unless a greater vote shall be required in its articles, amend its articles of organization so as to modify or enlarge its business or purposes, change its name or location, increase or diminish its capital stock change its officers or its directors or provide any thing which might have been originally provided in such articles; but no corporation without stock shall change substantially the original purposes of its organization. Such amendments shall be adopted only in accordance with the articles of organization, if a mode of amending the same shall have been therein prescribed. When adopted a copy of such amendment, with a certificate thereto affixed, signed by the president and secretary, or if none, the correspondent officers, and sealed with the corporate seal, if there be any, stating the fact and date of adoption of such amendment and that such copy is a true copy of the original, shall be filed in the office of the secretary of state and within thirty days after such filing by the secretary of state a like copy shall be recorded in the office of the register of deeds where said corporation is located, and in case of failure so to do, such officers shall forfeit twenty-five dollars and the register of deeds shall note on the margin of the record of the original articles, the volume and page where such amendment is recorded, and no amendment shall be of effect until so

recorded, and such amendment shall be void until so filed and recorded. Whenever the corporate name shall be changed the secretary shall publish a notice thereof in a newspaper published at or nearest to the place of location of such corporation for three weeks, and if he shall fail for two months so to do shall forfeit twenty-five dollars. No change of location of any such corporation, if beyond the limits of the county, shall be valid until the articles of organization and all amendments shall have been recorded in the office of the register of deeds of the county to which the same shall be changed.

SECTION 3. This act shall take effect and be in force from and after July first, 1901.

Approved April 27, 1901.

No. 103, A.] [Published May 2, 1901.

CHAPTER 239.

AN ACT to provide for the preservation of public health.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Application to manufacturing in dwelling, etc.; inspection; license what to contain; sale of articles prohibited, unless. SECTION 1. No room or apartment in any tenement or dwelling house or in a building situated in the rear of any tenement or dwelling house, shall be used for the purpose of manufacturing, altering, repairing or finishing therein, for wages or for sale, any coats, vests, knee pants, trousers, overalls, cloaks, hats, caps, suspenders, jerseys, blouses, dresses, waists, waist bands, underwear, neckwear, knit goods of all kinds, furs, fur trimmings, fur garments, skirts, shirts, purses, feathers, cigarettes, cigars or umbrellas, unless a license is secured therefor as provided in this act. Application for such a license shall be made to the commissioner of labor and industrial statistics by any family or a member thereof or any person, firm or corporation, desiring to manufacture, alter, repair or finish any such articles in any room or apartment in any tenement or dwelling house or by any person, firm or corporation desiring to perform such work in any build-

ing in the rear of any tenement or dwelling house. Such application shall describe the room or apartment, shall specify the number of persons to be employed therein, and shall be in such form as the commissioner of labor and industrial statistics may determine. Blank applications shall be prepared and furnished by the commissioner of labor and industrial statistics. Before any such license is granted, an inspection of the room, apartment, or building sought to be licensed, must be made by the commissioner of labor and industrial statistics, factory inspector or assistant factory inspector. If the commissioner of labor and industrial statistics, factory inspector, or assistant factory inspector, ascertain that such room, apartment or building, is in a clean and proper sanitary condition, and that the articles specified in this section may be manufactured therein under clean and healthful condition, he shall grant a license permitting the use of such room, apartment or building for the purpose of manufacturing, altering, repairing or finishing such articles. Each license shall state the maximum number of persons who may be employed in the room or rooms to which such license relates. The number of persons to be so employed shall be determined by the number of cubic feet of air space contained in each room or apartment mentioned in such license, allowing not less than two hundred and fifty cubic feet for each person employed between the hours of six o'clock in the morning and six o'clock in the evening, and unless by a special written permit of the commissioner of labor and industrial statistics, factory inspector, or assistant factory inspector, not less than four hundred cubic feet for each person employed therein between the hours of six in the evening and six in the morning, but no such permit shall be issued unless such room or apartment has suitable light at all times during such hours, while such persons are employed therein. Such license must be posted in a conspicuous place in the room or apartment to which it relates. It may be revoked by the commissioner of labor and industrial statistics, factory inspector or assistant factory inspector, if the health of the community or of the employes requires it, or if it appears that the rooms or apartments, to which such license relates, are not in a healthy and proper sanitary condition. Every room or apartment in which any of the articles named in this section are manufactured, altered, repaired or finished, shall be kept in a clean and sanitary condition and shall be subject to inspection and examination by the commissioner of labor and industrial statistics, factory inspector, or assistant factory inspector, for the purpose of ascertaining whether said garments or articles or any part or parts thereof are clean and free from

vermin and every matter of infectious or contagious nature. No person, firm or corporation, shall hire, employ or contract with any member of a family or any person, firm or corporation not holding a license therefor, to manufacture, alter, repair or finish any of the articles named in this section in any room or apartment in any tenement or dwelling house or in any room or apartment in any building, situated in the rear of a tenement or dwelling house as aforesaid; and no person, firm or corporation shall receive, handle or convey to others or sell, hold in stock or expose for sale, any goods mentioned in this section unless made under the sanitary conditions and in accordance with this act. This section shall not prevent the employment of a tailor or seamstress by any person or family for the purpose of making, altering, repairing or finishing any article of wearing apparel for such person or for family use.

Revocation of license; appeal to board of health. SECTION 2. Whenever the commissioner of labor and industrial statistics, factory inspector or assistant factory inspector in his judgment revokes or refuses to grant a license to any person or persons because of the unhealthy or unsanitary conditions in or surrounding the place where any of the aforesaid goods are or are to be manufactured, the person or persons aggrieved by such decision may appeal to the board of health of such city, village or town wherein said license was refused or revoked. The board of health after receiving a written notice of the appeal from the person or persons aggrieved, shall immediately investigate the conditions and surroundings of the place wherein any of the goods are or are to be manufactured as mentioned in the aforesaid, and if they find that a license can be granted without injuring or impairing the public health, then such finding shall be immediately reported in writing to the commissioner of labor and industrial statistics who shall thereupon grant such license.

Power of commissioner of labor as to sanitary conditions. SECTION 3. The commissioner of labor and industrial statistics, factory inspector or assistant factory inspector, may when he deems it necessary, require that all rooms or apartments used for the purpose of manufacturing, altering, repairing or finishing therein, any of the aforesaid goods or articles as mentioned in section 1 shall be separate from and have no door, window or other opening into any living or sleeping room of any tenement or dwelling and that no such rooms or apartments shall be used at any time for sleeping purposes and shall contain no bed, bedding or cooking utensils. He may further require or direct a separate outside entrance to the room or apartments where the

work is carried on, and if such work is carried on above the first floor, then there may be directed a separate and distinct stairway leading thereto and every such room or apartment shall be well and sufficiently lighted, heated and ventilated by ordinary, or if necessary, by mechanical appliance. He may also require suitable closet arrangements for each sex employed as follows: Where there are ten or more persons and three or more to the number of twenty are of either sex, a separate and distinct water closet, either inside the building with adequate plumbing connections or on the outside, at least twenty feet from the building, shall be provided for each sex. When the number employed is more than twenty-five of either sex, there shall be provided an additional water closet for such sex up to the number of fifty persons, and above that number in the same ratio, and all such closets shall be kept strictly and exclusively for the use of the employes and employer and employers. All closets shall be regularly disinfected and the commissioner of labor and industrial statistics, factory inspector or assistant factory inspector may require all other necessary changes or any process of cleaning, painting or whitewashing which they may deem necessary, before the issuing of the license.

Manufacturer to keep register of work given out. SECTION 4. Any person, firm or corporation, by themselves or by their agents or managers, contracting for the manufacturing, altering, repairing or finishing of any of the articles mentioned in section 1 of this act, or giving out material from which they or any part of them are to be manufactured, altered, repaired or finished, shall keep a register of the names and addresses, plainly written in English, of the persons to whom such articles or materials are given to be so manufactured, altered, repaired or finished or with whom they have contracted to do the same. Such register shall be subject to inspection on demand, by the commissioner of labor and industrial statistics, factory inspector or assistant factory inspector, and a copy thereof shall be furnished at his request.

Proceedings on discovery of contagious disease. SECTION 5. If the commissioner of labor and industrial statistics, factory inspector or assistant factory inspector find that infectious or contagious diseases exist in a workshop, room or apartment of a tenement or dwelling house or of a building in the rear thereof in which any of the articles specified in section 1 of this act are being manufactured, altered, repaired or finished or that articles manufactured or in process of manufacture therein are infected or that goods used therein are unfit for use, he shall re-

port to the local board of health, and such board shall issue such order as the public health may require. Such board may condemn and destroy all such infectious article or articles manufactured or in the process of manufacture under unclean or unhealthful conditions.

Owner of building, etc., not to permit unlawful manufacture in; penalty. SECTION 6. The owner, lessee or agent of a tenement or dwelling house or of a building in the rear of a tenement or dwelling house shall not permit the use thereof for the manufacture, repair, alteration or finishing of any of the articles mentioned in this act contrary to its provisions. If a room or apartment in such tenement or dwelling house or in a building in the rear of a tenement or dwelling house be so unlawfully used, the commissioner of labor and industrial statistics, factory inspector, or assistant factory inspector, shall serve a notice thereof upon such owner, lessee or agent. Unless such owner, lessee or agent shall cause such unlawful manufacture to be discontinued within thirty days after the service of such notice or within fifteen days thereafter, institutes and faithfully prosecutes proceedings for the dispossession of the occupant of a tenement or dwelling house or of a building in the rear of a tenement or dwelling house who unlawfully manufactures, repairs, alters or finishes such articles in any room or apartment therein, he shall be deemed guilty of a violation of this act as if he himself was engaged in such unlawful manufacture, repair, alteration or finishing.

Penalty for violations of act. SECTION 7. Any person, firm or corporation, agent or manager of any corporation who whether for himself or for such firm or corporation or by himself or through agents, servants or foremen shall violate any of the provisions of this act shall upon conviction thereof be fined in any sum not less than twenty dollars nor more than one hundred dollars for each offense, or imprisoned not less than twenty or more than sixty days or both, and in all prosecutions brought by or under the direction of the commissioner of labor and industrial statistics for the violation of this act, he shall not be held to give security for costs or adjudged to pay any costs but in all cases where the accused be acquitted or is found to be indigent, the costs shall be paid out of the county treasury of the county in which the proceedings are brought the same as the costs in all other cases of misdemeanor.

Repealed law. SECTION 8. Chapter 232 of the laws of 1899 is hereby repealed.

SECTION 9. This act and the repealing clause shall take effect and be in force, from and after the first day of August 1901.

Approved April 27, 1901.

No. 141, A.] [Published May 2, 1901.

CHAPTER 240.

AN ACT to amend section 1529g of the statutes of 1898, in relation to the burial of honorably discharged soldiers, sailors and marines.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Expense of burial, how defrayed. SECTION 1. Section 1529g of the statutes of 1898, is hereby amended so as to read as follows: Section 1529g. Each town board, village board and the aldermen of each ward in every city, shall cause to be interred in a decent and respectable manner in any cemetery in this state, other than those used exclusively for the burial of paupers, at an expense to the county of not less than thirty-five, nor more than fifty dollars, the body of any honorably discharged soldier, sailor or marine who shall have, at any time, served in the army or navy of the United States, and who shall die not leaving sufficient means to defray the necessary expenses of a decent burial, or under financial circumstances which would distress his family to pay the expenses of such burial.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 27, 1901.

No. 159, A.] [Published May 2, 1901.

CHAPTER 241.

AN ACT authorizing counties and cities to erect armories for the use of the Wisconsin national guard.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Purpose of armory; approval and inspection before erection. SECTION 1. The board of supervisors of any county or the common council of any city in which one or more companies of the national guard may be located, may erect or purchase a suitable armory for the purpose of drill and for the safe keeping of the arms, equipments, uniforms and other military property furnished by the state, and for public meetings and conventions, when such use will not interfere with the use of such building by the national guard; plans and specifications for which armory shall be inspected and approved by the governor, adjutant general and quartermaster general, who shall file with the board of supervisors of such county, or the common council of such city, a certificate of such inspection and approval prior to the erection thereof.

What expenses borne by company. SECTION 2. The necessary care, fuel and lights of such armories, shall be paid by the company or companies occupying the same, provided no charge for rent shall be made to said company or companies.

Erection of armory, how accomplished. SECTION 3. The board of supervisors of any county or the common council of any city in which any such company of the national guard may be located, may purchase land and build armories in the same manner as they are now authorized by law to build other county or city buildings, and when unable to agree upon the price of land with its owner may, if in their opinion necessary, appropriate land for the purpose of building armories in the same manner as they are now authorized by law to appropriate real estate for other county or city buildings. In case however a city or county shall have aided in the erection of said armory and the company or companies of the national guard for which said armory was erected shall at any time be disbanded, then such armory shall become the property of said city or county in which said armory is erected.

Control of armory. SECTION 4. Such armory when erected or purchased, shall be under the control and charge of the governor, the quartermaster general and commanding officer of the company or companies of the national guard for which it has been provided, and the said commanding officer shall cause to be deposited therein, all arms, uniforms and equipments received from time to time for the use of the command. The governor, quartermaster general and commanding officer may from time to time make such orders, rules and regulations as they may deem proper for the observance of all officers and persons having charge of such armories or occupying any part thereof.

Conflicting laws repealed. SECTION 5. All acts or parts of acts in conflict with the provisions of this act, are hereby repealed.

SECTION 6. This act shall take effect and be in force, from and after its passage and publication.

Approved April 27, 1901.

No. 235, A.] [Published May 2, 1901.

CHAPTER 242.

AN ACT for an appropriation to the eastern Wisconsin firemen's association.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Appropriation, how paid. SECTION 1. There is hereby appropriated to the eastern Wisconsin firemen's association, the sum of two hundred and fifty dollars, out of any money in the state treasury not otherwise appropriated. This appropriation is for the years 1901 and 1902 and said sum so appropriated shall be paid to said association in two equal payments to be made on or before the first day of June in each of said years.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved April 27, 1901.

No. 566, A.] [Published May 2, 1901.

CHAPTER 243.

AN ACT to prevent the adulteration of meat products.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Penalty for use of antiseptics, etc. SECTION 1. Any person who by himself or his agent shall make, manufacture, offer or expose for sale, take order for or sell any sausage or chopped meat compound containing any artificial coloring or dye or chemical preservative or antiseptic, shall be deemed guilty of a misdemeanor, and upon conviction therefor shall be fined not less than seventy-five, nor more than two hundred dollars.

SECTION 2. This act shall take effect and be in force, from and after the date of its passage and publication.

Approved April 27, 1901.

No. 180, S.] [Published May 3, 1901.

CHAPTER 244.

AN ACT to amend section 4096 of the statutes of 1898, as amended by chapter 29 of the laws of 1899, relating to examination of parties before trial.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Procedure in examination of parties before trial. SECTION 1. Section 4096 of the statutes of 1898, as amended by chapter 29 of the laws of 1899 is hereby amended so that said section when amended shall read as follows: Section 4096. No action to obtain a discovery under oath, in aid of prosecution or defense of another action, shall be allowed; but the examination of the party, his or its assignor, agent or employe, or, in case a private corporation be a party, in addition to the foregoing, the examina-

tion of the president, secretary or other principal officer of such corporation, or of the person who was such president, secretary, officer, agent or employe, at the time of the occurrence of the facts made the subject of the examination, otherwise than as a witness on a trial, may be taken by deposition at the instance of the adverse party in any action or proceeding, at any time after the commencement thereof and before judgment. Such deposition shall be taken before a judge at chambers or a court commissioner on a previous notice to such party and any other adverse party or their respective attorneys of at least five days; or it may be taken without the state in the manner provided for taking other depositions. The attendance of the party to be examined may be compelled upon subpoena and the payment or tender of his fees as a witness; such examination shall be subject to the same rules as that of any other witness, but he shall not be compelled to disclose anything not relevant to the controversy. If such examination shall be taken before issue joined the notice of taking the same shall be accompanied by an affidavit of the party, his agent or attorney, stating the general nature and object of the action, that discovery is sought to enable the party to plead and the points upon which such discovery is desired, and such examination shall be limited to the discovery of the facts relevant to such points unless the court or the presiding judge thereof, on motion and one day's notice, shall before the examination is begun, by order further limit the subjects to which it shall extend; but such examination shall not preclude the right to another examination after issue joined upon all the issues in the cause, and the party examining shall, in all cases, be allowed to examine upon oral interrogatories. Such examinations shall not be compelled in any other county than that in which the party to be examined resides; provided, that whenever plaintiff or defendant is a nonresident of this state his deposition may be had under the provisions of this section in the county in which the action is pending, if he can be personally served with notice and subpoena in such county. In case a foreign corporation is a party, the examination of its president, secretary, other principal officer, assignor or agent or employee, or the person who was such, or either of them at the time of the occurrence of the facts made the subject of the examination, may be had under the provisions of this section in this state, in the county in which the action may be pending or in which it was originally brought, if such officer or agent can there be personally served with notice for taking such deposition and a subpoena to attend such examination. In any examination under these provisions the judge or commissioner before

whom the same is had may compel the party examined to answer all questions relevant to the issues involved and also compel the production by him of books and papers relevant and pertinent to the issues and may enforce such answers and the production of such books and papers by contempt proceedings. Whenever a party shall be examined and his deposition taken under the provisions of this section the party taking such examination and the party examined, or their counsel, may stipulate upon the record before the judge or court commissioner before whom the examination is had, that the reading of the deposition to or by the deponent and his signature thereto are waived by consent, and that the deposition may be used with the same force and effect as if read over and signed; and in cases where such stipulation is made the said examination or deposition may be used in the action in which the same is taken and in any other action or proceeding in that or in any other court where it could have been used if read over and signed, with the same force and effect in all respects as if the deponent had read and signed the same. In all cases where the reading and signature shall not be waived, as aforesaid, the said deposition shall be read over to or by the deponent and signed by him before the officer before whom the same was taken, and the attendance of the party examined for the purpose of reading and signing said deposition may be compelled in the same manner as his attendance for the purpose of submitting to such examination may now be compelled by law; it shall in all cases be delivered or transmitted by the officer before whom taken to the clerk of the court, magistrate or other person before whom the action or proceeding is pending securely sealed, and shall remain sealed until opened by the court or clerk thereof or such magistrate or other person.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 27, 1901.

No. 174, S.] [Published May 3, 1901.

CHAPTER 245.

AN ACT to amend chapter 355 of the laws of 1899, entitled "an act for a tax on gifts, inheritances, bequests and legacies in certain cases."

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Tax imposed on personal property over $10,000. SECTION 1. Section 1 of [chapter] 355 of the laws of 1899 is hereby amended to read as follows: Section 1. A tax shall be and is hereby imposed upon any transfer of any personal property, of the value of ten thousand dollars or over, or of any interest therein, or income therefrom, in trust or otherwise, to any persons or corporations, except any corporation, organized for any religious, charitable or educational purpose, which uses the property so transferred to it solely for the purposes of its organization, in the following cases:

Transfer, by will, from resident of state. First. When the transfer is by will or by the intestate laws of this state from any person dying possessed of the property while a resident of the state.

Transfer, by will, from non-resident. Second. When a transfer is by will or intestate law, of property within the state, and the decedent was a non-resident of the state at the time of his death.

Transfer in contemplation of death. Third. When the transfer is of property made by a resident, or by a non-resident when such non-resident's property is within this state, by bargain, sale or gift made in contemplation of the death of the vendor or donor, or intended to take effect, in possession or enjoyment at or after such death.

Transfer before or after passage of act. Fourth. Such tax shall be imposed when any such person or corporation becomes beneficially entitled, in possession or expectancy, to any personal property or the income thereof by any such transfer, whether made before or after the passage of this act.

Power of appointment derived from disposition of property, deemed a transfer. Fifth. Whenever any person or corpora-

tion shall exercise a power of appointment derived from any disposition of property made either before or after the passage of this act, such appointment when made shall be deemed a transfer taxable under the provisions of this act in the same manner as though the property to which such appointment relates belonged absolutely to the donee of such power and had been bequeated or devised by such donee by will; and whenever any person or corporation possessing such a power of appointment so derived shall omit or fail to exercise the same within the time provided therefor, in whole or in part, a transfer taxable under the provisions of this act shall be deemed to take place to the extent of such omission or failure, in the same manner as though the persons or corporations thereby becoming entitled to the possessions or enjoyment of the property to which such power related had succeeded thereto by a will of the donee of the power failing to exercise such power, taking effect at the time of such omission or failure.

Rate of tax. Sixth. The tax so imposed shall be at the rate of five per centum upon the clear market value of such property, except as otherwise prescribed in the next section.

When rate to be one per centum. SECTION 2. Section 2 of chapter 355 of the laws of 1899 is hereby amended to read as follows: Section 2. When the property, or any beneficial interest therein, passes by any such transfer to or for the use of any father, mother, husband, wife, child, brother, sister, wife or widow of a son or the husband of a daughter, or any child or children adopted as such in conformity with the laws of this state, of the decedent, grantor, donor or vendor or to any child to whom any such decedent, grantor, donor or vendor, for not less than ten years prior to such transfer, stood in the mutually acknowledged relation of a parent, provided, however, such relationship began at or before the child's fifteenth birthday and was continuous for said ten years thereafter, "or to any lineal descendant of such decedent, grantor, donor or vendor, born in lawful wedlock or to any lineal descendant of any lawfully adopted child of such decedent, grantor, donor, or vendor," or to any lineal descendant of a brother or sister of such decedent grantor, donor or vendor, such transfer of property shall not be taxable under this act, unless it is of the value of ten thousand dollars or more, in which case it shall be taxable under this act at the rate of one per centum upon the clear market value of such property.

Discount, rate of interest on deferred payment of tax. SECTION 3. Section 4 of chapter 355 of the laws of 1899 is hereby

amended to read as follows: Section 4. If such tax is paid within one year from the accruing thereof, a discount of five per centum shall be allowed and deducted therefrom. If such tax is not paid within eighteen months from the accruing thereof interest shall be charged and collected thereon at the rate of ten per centum per annum from the time the tax accrued; unless by reason of claims made upon the estate, necessary litigation or other unavoidable cause of delay, such tax shall not be determined and paid as herein provided, in which case interest at the rate of six per centum per annum shall be charged upon such tax from the accrual thereof until the cause of such delay is removed, after which ten per centum shall be charged. In all cases when a bond shall be given under the provisions of section 7 of this act, interest shall be charged at the rate of six per centum from the accrual of the tax, until the date of payment thereof.

Powers of executors, etc., as to payment of tax. SECTION 4. Section 5 of chapter 355 of the laws of 1899 is hereby amended to read as follows: Section 5. Every executor, administrator or trustee shall have full power to sell so much of the property of the decedent as will enable him to pay such tax in the same manner as he might be entitled by law to do for the payment of the debts of the testator or intestate. Any such administrator, executor or trustee having in charge or in trust, any legacy or property for distribution subject to such tax shall deduct the tax therefrom; and within thirty days therefrom shall pay over the same to the county treasurer, as herein provided. If such legacy or property be not in money, he shall collect the tax thereon upon the appraised value, thereof from the person entitled thereto. He shall not deliver or be compelled to deliver any specific legacy or property subject to tax under this act, to any person until he shall have collected the tax thereon. If any such legacy shall be charged upon or payable out of real property, the heir or devisee shall deduct such tax therefrom and pay it to the administrator, executor or trustee, and the tax shall remain a lien or charge on such real property until paid, and the payment thereof shall be enforced by the executor, administrator or trustee in the same manner that payment of the legacy might be enforced, or by the district attorney under section fourteen of said act. If any such legacy shall be given in money to any such person for a limited period, the administrator, executor or trustee shall retain the tax upon the whole amount, but if it be not in money he shall make application to the court having jurisdiction of an accounting by him to make

an apportionment if the case require it, of the sum to be paid into his hands by such legatees, and for such further order relative thereto as the case may require.

Deductions for debts; refund of erroneous payment of tax. SECTION 5. Section 6 of chapter 355 of the laws of 1899 is hereby amended to read as follows: Section 6. If any debt shall be proved against the estate of the decedent after the payment of any legacy, or distributive share thereof, from which any such tax has been deducted, or upon which it has been paid by the person entitled to such legacy or distributive share, and such person is required by the order of the county court having jurisdiction thereof on notice to the secretary of state to refund the amount of such debts or any part thereof, an equitable proportion of the tax shall be repaid to him by the executor, administrator or trustee, if the tax has not been paid to the county treasurer, or repaid by such treasurer or state treasurer, if such tax has been paid to him. When any amount of said tax shall have been paid erroneously into the state treasury, it shall be lawful for the secretary of state, upon satisfactory proofs presented to him of the facts, to require the amount of such erroneous or illegal payment to be refunded to the executor, administrator, trustee, person or persons who have paid any such tax in error from the treasury; or the said secretary of state may order direct and allow the treasurer of any county to refund the amount of any illegal or erroneous payment of such tax out of the funds in his hands or custody to the credit of such taxes and credit him so with the same in his quarterly account rendered to the secretary of state under this act. Provided, however, that all applications for such refunding of erroneous taxes shall be made within one year from the payment thereof.

Appointment of appraiser; determination of value of estates; transfers in trust; over-payments. SECTION 6. Section 11 of chapter 355 of the laws of 1899 is hereby amended to read as follows: Section 11. The county court upon the application of any interested party including the secretary of state, county treasurer, or upon his own motion shall, as often as and whenever occasion may require, appoint a competent person as appraiser to fix the fair market value at the time of the transfer thereof of the property of persons whose estates shall be subject to the payment of any tax imposed by this act. Whenever a transfer of property is made upon which there is, or in any contingency there may be, a tax imposed, such property shall be appraised at its clear market value immediately upon such transfer or as soon thereafter as practicable. The value of

every future or limited estate income, interest or annuity dependent upon any life or lives in being, shall be determined by the rule, method and standard of mortality and value employed by the commissioner of insurance in ascertaining the value of policies of life insurance and annuities for the determination of liabilities of life insurance companies, except that the rate of interest for making such computation shall be five per centum per annum. In estimating the value of any estate or interest in property to the beneficial enjoyment or possession whereof there are persons or corporations presently entitled thereto, no allowance shall be made in respect of any contingent incumbrance thereon, nor in respect of any contingency upon the happening of which the estate or property or some part thereof or interest therein might be abridged, defeated or diminished; provided, however that in the event of such incumbrance taking effect as an actual burden upon the interest of the beneficiary, or in the event of the abridgment, defeat or diminution of such estate or property or interest therein as aforesaid, a return shall be made to the person properly entitled thereto of a proportionate amount of such tax in respect of the amount or value of the incumbrance when taking effect or so much as will reduce the same to the amount which would have been assessed in respect of the actual duration or extent of the estate or interest enjoyed. Such return of tax shall be made in the manner provided by section 6 of said chapter 355, laws of 1899, as herein amended. Where any property shall after the passage of this act be transferred subject to any charge, estate or interest, determinable by the death of any person or at any period ascertainable only by reference to death, the increase of benefit accruing to any person or corporation upon the extinction or determination of such charge, estate or interest shall be deemed a transfer of property taxable under the provisions of this act in the same manner as though the person or corporation beneficially entitled thereto had then acquired such increase of benefit from the person from whom the title to their respective estates or interests is derived. When property is transferred in trust or otherwise and the rights, interests or estates of the transferees are dependent upon contingencies or conditions whereby they may be wholly or in part created, defeated, extended or abridged, a tax shall be imposed upon such transfer at the highest rate which, on the happening of any of the said contingencies or conditions would be possible under the provisions of this act, and such tax so imposed shall be due and payable forthwith out of the property transferred provided, however, that on the happening of any contingency whereby the said property or any part thereof is

transferred to a person or corporation exempt from taxation under the provisions of this act or to a person taxable at a rate less than the rate imposed and paid, such person or corporation shall be entitled to a return of so much of the tax imposed and paid as is the difference between the amount paid and the amount which said person or corporation should pay under the provisions of this act, with legal interest from the time of payment. Such return of over-payment shall be made in the manner provided by section 6 of said chapter 355. All estates upon remainder or reversion, which vested prior to July first, 1899, but which will not come into actual possession or enjoyment of the person or corporation beneficially interested therein until after the passage of this act shall be appraised and taxed as soon as the person or corporation beneficially interested therein shall be entitled to the actual possession or enjoyment thereof.

Report of appraiser; notice to parties; valuation of future interests; re-appraisement and re-assessment; proceedings for. SECTION 7. Section 13 of chapter 355 of the laws of 1899 is hereby amended to read as follows: Section 13. The report of the appraiser shall be made in duplicate, one of which duplicates shall be filed in the office of the county court and the other in the office of the secretary of state. Upon filing such report in the county court, the county court shall forthwith give twenty days' notice by mail to all persons known to be interested in the estate, including the county treasurer, of the time and place for the hearing in the matter of such report and the county court from such report and other proofs relating to any such estate shall forthwith at the time so fixed, determine the cash value of such estate and the amount of tax to which the same is liable, or the county court without appointing an appraiser upon giving twenty days' notice by mail to all persons known to be interested in the estate including the county treasurer, of the time and place of hearing may at the time so fixed hear evidence and determine the cash value of such estate and the amount of tax to which the same is liable. If the residence or postoffice address of any person interested in any estate is unknown to the executor, administrator or trustee, notice of the hearing in the matter of the report of the appraiser or notice that the county [court] without appointing an appraiser will determine the cash value of an estate shall be given to all such persons by publication of such notice not less than three successive weeks prior to the time fixed for such hearing or determination in such newspaper published within the county as the court shall direct. The commissioner of insurance shall on application of any county court

determine the value of any such future or contingent estates, income or interests therein, limited, contingent, dependent or determinable upon the life or lives of the person or persons in being upon the facts contained in such appraiser's report or upon the facts contained in the county court's finding and determination and certify the same to the county court and his certificate shall be presumptive evidence that the method of computation adopted therein is correct. The secretary of state or any person dissatisfied with the appraisement or assessment and determination of such tax may apply for a rehearing thereof before the county court within sixty days from the fixing, assessing and determination of the tax by the county court as herein provided on filing a written notice which shall state the grounds of the application for a rehearing. The rehearing shall be upon the records, proceedings and proofs had and taken on the hearings as herein provided and a new trial shall not be had or granted unless specially ordered by the county court. The county court shall immediately give notice by mail upon the determination by him as to the value of any estate which is taxable under this act and of the tax to which it is liable to all parties known to be interested therein including the secretary of state. If, however, it appear at this or any stage of the proceedings that any of such parties to be interested in the estate is an infant or an incompetent, the county court shall if the interest of such infant or incompetent is presently involved and is adverse to that of the other persons interested therein appoint a special guardian of such infant, but nothing in this provision shall affect the right of an infant over fourteen years of age or of any one on behalf of an infant under fourteen years of age to nominate and apply for the appointment of a special guardian of such infant at any stage of the proceedings. Within two years after the entry of an order or decree of the county court determining the value of an estate and assessing the tax thereon, the secretary of state may if he believes that such appraisal, assessment or determination has been fraudulently, collusively or erroneously made make application to the circuit judge of the judicial circuit in which the former owner of such estate resided for a re-appraisal thereof. The circuit judge to whom such application is made may thereupon appoint a competent person to re-appraise such estate. Such appraiser shall possess the powers, be subject to the duties and receive the compensation provided by section 11 and 12 of this act. Such compensation shall be payable by the county treasurer out of any funds he may have on account of any tax imposed under the provisions of this act upon the cer-

tificate of the circuit judge appointing him. The report of such appraiser shall be filed in the circuit court for which he was appointed and thereafter the same proceedings shall be taken and had by and before such circuit court as herein provided to be taken and had by and before the county court. The determination and assessment of such circuit court shall supersede the determination and assessment of the county court and shall be filed by such circuit court in the office of the secretary of state and a certified copy thereof transmitted to the county court of the proper county.

Words "estate," "property" and "transfer" defined; transfer of capital stock of real estate corporation. SECTION 8. Section 19 of chapter 355 of the laws of 1899 is hereby amended to read as follows: Section 19. The words "estate" and "property" as used in this act shall be taken to mean the personal property or interest therein of the testator, intestate, grantor, bargainor or vendor passing or transferred to those not herein specifically exempted from the provisions of this act and not as the property or interest therein passing or transferred to individual legatees, devisees, heirs, next of kin, grantees, donees or vendees and shall include all personal property or interest therein whether situated within or without this state. The word "transfer" as used in this act shall be taken to include the passing of property or any interest therein in possession or enjoyment, present or future, by inheritance, descent, devise, bequest, grant, deed, bargain, sale or gift in the manner herein prescribed. The words "county treasurer" and "district attorney" as used in this act shall be taken to mean the treasurer and district attorney of the county of the county court having jurisdiction as provided in section 10 of this act; provided that no language in this act shall be construed as imposing any tax upon the transfer of real property. "In case of any transfer of any shares of capital stock in any corporation organized under the laws of this state engaged in the business of buying, owning or selling real estate, the proportionate assessed value of its real estate within this state shall be deducted from the appraised value of such shares of stock so transferred and taxed as herein provided."

Effect of act. SECTION 9. This act shall not affect or impair any act done or right accruing, accrued or established or any proceeding or suit had or commenced previous to the time this act shall take effect and be in force, but every such act, right suit or proceeding shall remain as valid and effectual as if the provisions amended or repealed had remained in force, but the

subsequent proceedings in actions or proceedings shall conform to the provisions of this act when applicable.

Provisions of act a continuation of existing laws. SECTION 10. The provisions of this act so far as they are the same in substance as those under existing laws shall be construed as a continuation of such laws and not as a new enactment.

SECTION 11. This act shall take effect and be in force from and after its passage and publication.

Approved April 27, 1901.

No. 392, A.] [Published May 3, 1901.

CHAPTER 246.

AN ACT relating to the improvement and payment for improvements on streets bordering upon public parks, public buildings, and public grounds in cities of the first class.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Expense of improvement, how paid; construction of act. SECTION 1. In all cities of the first class in this state, whenever it shall be duly determined to grade, gravel, macadamize, curb, pave or repave or otherwise improve any street, avenue, highway or alley contiguous to or bordering upon any public park, public building or public grounds therein, or to repair any sidewalk, or to lay water pipe or sewer in such street, avenue, highway or alley, the cost of making such improvements and the laying of such water pipe or sewer and the expense of repairs of such sidewalks, shall be chargeable to such contiguous or bordering public park, public building or public grounds, in the same manner, and to the same extent, as if such public park, public building or public grounds were private property, and the amount so chargeable shall be paid out of the general city fund of such city. Provided, however, that nothing herein contained shall be construed to repeal, modify, supersede or amend the provisions of chapter 199 of the laws of 1899 entitled "An act relating to special assessments for grading, macadamizing, and improving streets in cities of the first class."

Appointment of attorney; reserve fund in hands of. SECTION 2. For the convenient transaction of business and the speedy payment of losses incurred therein, they shall in writing appoint an attorney or attorneys to act for them in the transaction of their said business, and may pay in and accumulate a fund for the payment of losses and the expenses of their said business; and before they shall transact any business of insurance in this state there shall be paid to the said attorney or attorneys so appointed a sum of money not less than five hundred dollars by each of the persons mentioned in section one, which sum shall be held by said attorney or attorneys and shall be used as a reserve fund for the payment of losses and the expenses of their said business.

To maintain office within state. SECTION 3. They shall also maintain an office in some city within this state where their said attorney or attorneys shall transact the said business, and before the transaction of any business in this state they shall file with the commissioner of insurance a list of the underwriters joining in such insurance, which list shall be certified to by the said attorney or attorneys provided for in section two as a true, full and correct list thereof; and said attorney or attorneys so appointed shall also from time to time certify to the commissioner of insurance any change or substitution in such list of underwriters.

Attorney for service of process. SECTION 4. They shall also appoint by writing to be filed with the commissioner of insurance, an attorney or attorneys resident in this state, on whom all process or papers concerning or growing out of said business may be served; and such service on such attorney or attorneys or either of them, shall be equivalent to service on each of the said persons so transacting and effecting marine insurance.

License fee; duty of insurance commissioner. SECTION 5. It shall be the duty of the attorney or attorneys appointed under the provisions of section two of this act and on or before the first day of February of each year while engaged in said business in this state, to pay to the commissioner of insurance as a license fee for the transaction of such business in this state for the ensuing year a sum equal to two per centum of the gross amount of premiums received during the preceding calendar year, and also the fees provided for by section 1971 of the statutes of 1898 as amended and the fees provided for by section 1972 of the statutes of 1898, and the payment of said two per centum and such fees shall be in lieu of all taxes, fees or charges against said persons or either of them, or their said attorney or

attorneys, or against their property or the property of either of them for the transaction of said business during the year for which payment is made. It shall also be the duty of the said attorney or attorneys to permit the commissioner of insurance, at any and all proper and convenient times, to examine the books of said attorney or attorneys showing the transaction of their said business, in order to verify the amount of premiums paid in and to determine the amount of license fee to be paid, as herein provided; and the said commissioner of insurance shall have the right, and the said attorney or attorneys shall permit him, to have access to said books for such purpose at any and all reasonable and convenient times.

Liability of individuals in effecting insurance. SECTION 6. Each person who shall join in effecting such insurance mentioned in section one of this act shall be severally, but not jointly, liable upon each contract of insurance entered into by said persons or their attorney or attorneys, for his proportionate share of the amount of indemnity specified as to him in said contract of insurance, and for no greater sum in any event, and he shall not be liable otherwise in any manner or to any extent.

Delivery of license. SECTION 7. Upon compliance with the requirements of this act, the insurance commissioner shall issue and deliver to the said attorney or attorneys appointed under section two of this act a license in the usual form, authorizing the said persons and their said attorney or attorneys to transact the business authorized by said act until the first day of February next following the issuing of said license.

Revocation of license, when. SECTION 8. In case of the failure on the part of such persons herein mentioned, their attorney or attorneys, to fully and promptly comply with any of the provisions of this act, or the provisions of any of the sections of the statutes of 1898 herein mentioned, it shall be the duty of the commissioner of insurance forthwith to revoke the license of such persons, their attorney or attorneys and take proper proceedings to wind up the affairs of such persons, their attorney or attorneys.

SECTION 9. This act shall take effect and be in force from and after its passage and publication.

Approved May 2, 1901.

No. 159, S.] [Published May 4, 1901.

CHAPTER 250.

AN ACT relating to special taxes and assessments on real estate owned by the state.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Real estate owned or held in trust exempt. SECTION 1. No real estate belonging to or held in trust for this state, exempt from taxation by the laws of this state, shall be subject to special taxes or assessments for local improvements.

Conflicting laws repealed. SECTION 2. All acts and parts of acts and all provisions of city charters inconsistent with or contravening any of the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved May 2, 1901.

No. 206, S.] [Published May 4, 1901.

CHAPTER 251.

AN ACT to amend section 439a of the statutes of 1898, relating to the compulsory education of school children.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

School age increased. SECTION 1. Section 439a, of the statutes of 1898, is hereby amended by striking out the word "thirteen" in the second line after the word "and" in said section, and inserting in lieu thereof the word "fourteen."

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 2, 1901.

No. 272, S.] [Published May 4, 1901.

CHAPTER 252.

AN ACT to constitute the Platteville fair association a county agricultural society under the provisions of section 1460, of the statutes of 1898.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

When entitled to state aid. SECTION 1. The Platteville fair association, of Platteville, Grant county, Wisconsin, is hereby constituted and declared to be a county agricultural society under the provisions of section 1460 of the statutes of 1898, and entitled to state aid upon complying with the provisions of section 1463, statutes of 1898.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 2, 1901.

No. 275, S.] [Published May 4, 1901.

CHAPTER 253.

AN ACT to amend chapter 27, of the statutes relating to free high school boards in districts consisting of a town having the township system of school government for common schools.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Town school board, declared free high school board; powers and duties of. SECTION 1. Chapter 27, of the statutes is hereby amended by adding after section 492 of said chapter 27, the following, to be known as section 492a. Section 492a. The town board of school directors in any township now organized or which may be hereafter organized under the township system of school government, shall be and is hereby constituted the free high

school board for the town as a free high school district. In such cases the secretary of the town board of school directors, shall be ex-officio clerk, the president of the board shall be ex-officio director, and the town treasurer shall be ex-officio treasurer of the free high school board of said district. Said board is hereby authorized to perform all and singular the duties prescribed by law for free high school officers and boards, and the function and duty of free high school boards heretofore organized and acting as such in a free high school district consisting of a town having the township system of school government, shall cease and be of no effect on and after the lawful surrender of records, papers, moneys and other property as hereinafter provided. The records and accounts of the board created by this act shall be kept separate and distinct from the records and accounts which the said board are required to keep as a town board of school directors. The free high school board in any existing free high school district composed of a single town organized under the township system of school government, is hereby authorized and directed, immediately upon the passage of this act, to deliver to the care and custody of the free high school board herein provided for in such cases, all records, papers, money, and other property of the free high school district, and the free high school board herein provided for shall accept the care and custody of such records, papers, money, and other property and use them for and in behalf of the free high school district in conformity to law.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved May 2, 1901.

No. 302, S.] [Published May 4, 1901.

CHAPTER 254.

AN ACT authorizing the placing of the national flag over every voting place on general election and registration days.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Council, etc., may maintain flags over booths. SECTION 1. That the common councils of the cities, trustees of the villages, and the township boards of supervisors may place and display the national flag on suitable staff over every voting place on general election and registration days for township, village, city, county, state and national elections and maintain them during every hour of such days of voting and registration.

Expense of, part of general election expenses. SECTION 2. That such common councils, board of trustees, and township board of supervisors may provide the expense of such flags, and the erection, maintaining and care of the same, such expense to be included in and be a part of the general election expenses.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved May 2, 1901.

No. 359, S.] [Published May 4, 1901.

CHAPTER 255.

AN ACT to amend section 378 of the statutes of 1898, relating to the board of regents of the university of Wisconsin.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Woman may be appointed on board. SECTION 1. Section 378 of the statutes of 1898 is hereby amended by inserting after "large" in line three of said section, "at least one of whom shall

be a woman;" so that said section when so amended shall be and read as follows: Section 378. The government of the university shall vest in a board of regents, to consist of one member from each congressional district and two from the state at large, at least one of whom shall be a woman, to be appointed by the governor; the state superintendent and the president of the university shall be ex-officio members of said board; said president shall be a member of all the standing committees of the board, but shall have the right to vote only in case of a tie. The term of office of the appointed regents shall be three years from the first Monday in February in the year in which they are appointed unless sooner removed by the governor; but appointments to fill vacancies before the expiration of the term shall be for the residue of the term only.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 2, 1901.

No. 361, S.] [Published May 4, 1901.

CHAPTER 256.

AN ACT to amend section 4590 of the statutes of 1898 as amended by chapter 128 of the laws of 1899, relating to obscene books, papers and literature.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Penalty for possession or sales, etc. SECTION 1. Section 4590 of the statutes of 1898, as amended by chapter 128 of the laws of 1899, is hereby further amended, by adding thereto the following: "Any person who shall sell, lend, give away, or show, or shall have in his possession with intent to sell, give away, or show, or shall advertise or otherwise offer for loan, gift or distribution, any book, pamphlet, magazine, newspaper, or other printed paper devoted principally to the publication of criminal news, police reports, or accounts of criminal deeds, or pictures and stories of deeds of bloodshed, lust or crime, shall be guilty of a misdemeanor, and upon conviction thereof, shall be sentenced

to pay a fine of not less than fifty nor more than five hundred dollars."

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 2, 1901.

No. 170, S.] [Published May 4, 1901.

CHAPTER 257.

AN ACT providing for the furnishing and use of safe scaffolding, hoists, stays, ladders, or other mechanical device used in the construction of a building and providing a penalty for a violation thereof.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Safety appliances to be provided. SECTION 1. A person employing or directing another to perform labor of any kind in the erection, repairing, altering or painting of a house, building or structure shall not furnish or erect, or cause to be furnished or erected for the performance of such labor, scaffolding, hoists, stays, ladders or other mechanical contrivances, which are unsafe, unsuitable or improper, and which are not so constructed, placed and operated as to give proper protection, to the life and limb of a person so employed or engaged. Scaffolding or staging swung or suspended from an overhead support, more than twenty feet from the ground or floor, shall have a safety rail of wood, properly bolted, secured and braced, rising at least thirty-four inches above the floor or main portions of such scaffolding or staging and extending along the entire length of the outside and the ends thereof, and properly attached thereto, and such scaffolding or staging shall be so fastened as to prevent the same from swaying from the building or structure.

Complaints; power and duty of factory inspectors. SECTION 2. Whenever complaint is made to the factory inspector that the scaffolding, or the part thereof declared to be unsafe. After ladders, irons, or ropes of any swinging or stationary scaffolding used in the construction, alteration, repairing, painting, clean-

ing or painting of buildings within the limits of a city are unsafe or liable to prove dangerous to the life or limb of any person, such factory inspector shall immediately cause an inspection to be made of such scaffolding, or the slings, hangers, blocks, pulleys, stays, braces, ladders, irons or other parts connected therewith. If, after examination, such scaffolding or any of such parts is found to be dangerous to life or limb, the factory inspector shall prohibit the use thereof, and require the same to be altered and reconstructed so as to avoid such danger. The factory inspector or deputy factory inspector making the examination shall attach a certificate to the scaffolding, or the slings, hangers, irons, ropes, or other parts thereof, examined by him stating that he has made such examination, and that he has found it safe or unsafe, as the case may be. If he declares it unsafe, he shall at once, in writing, notify the person responsible for its erection of the fact, and warn him against the use thereof. Such notice may be served personally upon the person responsible for its erection, or by conspicuously affixing it to the scaffolding, or the part thereof declared to be unsafe. After such notice has been so served or affixed, the person responsible therefor shall immediately remove such scaffolding or part thereof and alter or strengthen it in such manner as to render it safe, in the discretion of the officer who has examined it, or of his superiors. The factory inspector and any of his deputies whose duty it is to examine or test any scaffolding or part thereof, required by this section, shall have free access, at all reasonable hours, to any building or premises containing them or where they may be in use. All swinging and stationary scaffolding shall be so constructed as to bear four times the maximum weight required to be dependent therefrom or placed thereon, when in use, and not more than four men shall be allowed on any swinging scaffolding at one time.

Provisions required in erection of buildings in cities. SECTION 3. All contractors and owners, when constructing buildings in cities, where the plans and specifications require the floors to be arched between the beams thereof, or where the floors or filling in between the floors are of fire-proof material or brick work, shall complete the flooring or filling in as the building progresses, to not less than within three tiers of beams below that on which the iron work is being erected. If the plans and specifications of such building do not require filling in between the beams of floors with brick or fire-proof material all contractors for carpenter work, in the course of construction shall lay the under flooring thereof on each story as the building progresses, to not less than within two stories below the one to which such

building has been erected. Where double floors are not to be used, such contractor shall keep planked over the floor two stories below the story where the work is being performed. If the floor beams are of iron or steel, the contractors for the iron or steel work of buildings in course of construction or the owners of such buildings, shall thoroughly plank over the entire tier of iron or steel beams on which the structural iron or steel work is being erected, except such spaces as may be reasonably required for the proper construction of such iron or steel work, and for the raising and lowering of materials to be used in the construction of such building, or such spaces as may be designated by the plans and specifications for stairways and elevator shafts. If elevating machines or hoisting apparatus are used within a building in the course of construction, for the purpose of lifting materials to be used in such construction, the contractors or owners shall cause the shafts or openings in each floor to be enclosed or fenced in on all sides by a barrier at least eight feet in height. If a building in course of construction is five stories or more in height, no lumber or timber needed for such construction shall be hoisted or lifted on the outside of such building. The chief officer, in any city, charged with the enforcement of the building laws of such city and the factory inspector are hereby charged with enforcing the provisions of this section.

Penalty for violations. SECTION 4. Any owner, contractor, sub-contractor, foreman or other person having charge of work on building, if found guilty of violation of any of the former sections of this law shall be subject to a fine of not less than twenty-five dollars and not more than one hundred dollars, or imprisonment of not less than three months or not more than one year by any court having jurisdiction.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved May 2, 1901.

No. 396, S.] [Published May 4, 1901.

CHAPTER 258.

AN ACT to submit to the people an amendment to section 1, of article 10, of the constitution of the state of Wisconsin, relating to education.

Preamble. Whereas, at the biennial session of the legislature of Wisconsin for the year 1899, an amendment to the constitution of the state was proposed and agreed to by a majority of the members elected to each of the two houses, which proposed amendment was in the following language:

Resolved by the senate, the assembly concurring, that section 1 of article 10 of the constitution of the state of Wisconsin be amended so as to read as follows:

Provisions of amendment. SECTION 1. The supervision of public instruction shall be vested in a state superintendent and such other officers as the legislature shall direct; and their qualifications, powers, duties and compensation shall be prescribed by law. The state superintendent shall be chosen by the qualified electors of the state at the same time and in the same manner as members of the supreme court, and shall hold his office for four years from the succeeding first Monday in July. The state superintendent chosen at the general election in November, 1902, shall hold and continue in his office until the first Monday in July, 1905, and his successor shall be chosen at the time of the judicial election in April, 1905. The term of office, time and manner of electing or appointing all other officers of supervision of public instruction shall be fixed by law.

Preamble. And, Whereas, the foregoing proposed amendment to the constitution of the state of Wisconsin was duly agreed to in the legislature of this state, chosen at the general election in November, 1900, by a majority of all the members elected to each house thereof; therefor:

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

When to be submitted to people. SECTION 1. The foregoing proposed amendment to the constitution of the state of Wisconsin shall be submitted to a vote of the people of the state in the

manner now provided by law for the submission of proposed amendments at the next general election in November, 1902.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 2, 1901.

No. 17, S.] [Published May 4, 1901.

CHAPTER 259.

AN ACT defining the liabilities of employes of telegraph and messenger companies.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Penalty for divulging message or forging receipt. SECTION 1. Any person connected with a telegraph or messenger company, incorporated or unincorporated, operating a line of telegraph or engaged in the business of receiving and delivering messages in this state, in any capacity, who wilfully divulges the contents, or the nature of the contents of a private communication entrusted to him for transmission or delivery, or who wilfully refuses or neglects to transmit or deliver the same, or who wilfully forges the name of the intended receiver to a receipt for any such message or communication or article of value entrusted to him by said company, shall be imprisoned in the county jail, not exceeding one year, or to be fined not to exceed five hundred dollars, in the discretion of the court.

Companies to post copy of act. SECTION 2. All telegraph or messenger companies whose employes are affected by this act are hereby required to post, in their offices in this state, a copy of this act, under a penalty of ten dollars and costs for each and every offense.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 2, 1901.

No. 641, A.] [Published May 4, 1901.

CHAPTER 260.

AN ACT to authorize Adolphus P. Nelson, his heirs or assigns, to construct and maintain a dam in and across Wood river in Burnett county, Wisconsin.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Location of dam. SECTION 1. Adolphus P. Nelson, his heirs or assigns, are hereby authorized and empowered to construct, keep up and maintain a dam across Wood river, in Burnett county, Wisconsin, on the southwest quarter of northwest quarter in section twenty-two of township thirty-eight north, of range nineteen west, for hydraulic, flooding and manufacturing purposes and for the transmission of electric power; provided said dam shall not raise the water to exceed fourteen feet and shall be provided with suitable slides and chutes for the passage of fish, logs and timber over the same. Said Adolphus P. Nelson, his heirs or assigns, shall keep said dam and slides or chutes in repair, and shall keep said slides or chutes open at all times when said river is at a driving stage and there are logs or timber to run over said dam.

Statutes to apply. SECTION 2. The dam so erected shall be subject to all provisions of chapter 146, of the revised statutes and acts amendatory thereof so far as said chapter and acts amendatory may be applied, in like manner as if such provisions were incorporated in this act.

Term. SECTION 3. The aforesaid Adolphus P. Nelson, his heirs or assigns, shall enjoy the privileges granted by this act for a term of twenty-five years.

Penalty for breaking or opening dam. SECTION 4. Any person or persons who shall wilfully break or destroy said dam or any part thereof or shall open the same, shall be liable to the proprietor thereof in an action of trespass to the amount of damages done in addition to the penalties already provided by law, to be recovered before any court of competent jurisdiction.

Right to amend or repeal reserved. SECTION 5. The legislature reserves the right to amend or repeal this act.

SECTION 6. This act shall take effect and be in force, from and after its passage and publication.

Approved May 2, 1901.

No. 627, A.] [Published May 6, 1901.

CHAPTER 261.

AN ACT to authorize Horace E. Horton, his heirs and assigns, to raise, build and maintain a certain dam across the Big Plover River at the village of McDill, Portage county, Wisconsin, in township number twenty-three north, of range eight east.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Location of dam. SECTION 1. Horace E. Horton and his associates and assigns are hereby authorized to raise, build and maintain a certain dam across the Big Plover river in the county of Portage state of Wisconsin, on the southwest quarter of the northeast quarter of section number nine, township number twenty-three north, of range eight east, being the same dam built across said river in or about the year 1853 and since maintained by said Horace E. Horton and those under whom he claims; provided however that said dam shall be so constructed and maintained as not to obstruct the running of lumber, logs or timber down said river.

Dam previously built legalized. SECTION 2. The dam heretofore built and maintained at the place mentioned in section 1 of this act, built in or about the year 1853, and the building of said dam and the maintenance of the same to the present time is hereby validated and legalized.

Use of water and power. SECTION 3. Said Horace E. Horton, his associates, heirs and assigns shall have the right to use the waters of said river and the water power created by such dam, for propelling any kind of machinery that he or they may at any time hereafter see fit to erect, to sell or lease the right to use said water and water power or any part or portion thereof to any person or persons whomsoever.

Right to amend or repeal reserved. SECTION 4. The right to amend or repeal this act is hereby reserved to the legislature.

Conflicting laws repealed. SECTION 5. All acts and parts of acts inconsistent with or contravening the provisions of this act are hereby repealed.

SECTION 6. This act shall take effect and be in force, from and after its passage and publication.

Approved May 2, 1901.

No. 603, A.] [Published May 6, 1901.

CHAPTER 262.

AN ACT to authorize W. H. Dick, his associates and assigns, to build dams and make improvements on the Lilly river.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Location and purpose of dam. SECTION 1. For the purpose of improving the Lilly river in Langlade and Forest counties, for log-driving purposes W. H. Dick, his associates and assigns, are hereby authorized to maintain dams and wing dams, blast rocks, straighten the channel and make such other improvements as in their judgment will improve the stream for log-driving purposes from the mouth of the said river to the north line of town thirty-four. There shall be maintained in said dams suitable slides for the passage of fish.

Rates chargeable for passage of logs. SECTION 2. As compensation for the use of the said improvements, W. H. Dick, his associates and assigns, shall be entitled to charge, collect and receive twenty-five cents per thousand feet, board measure, for each thousand feet of logs or timber driven out of the said river and shall have a lien upon the same for the said sum which may be collected as charges for labor are collected.

Right to amend or repeal reserved. SECTION 3. The legislature reserves the right to amend or repeal this act.

SECTION 4. This act shall take effect and be in force, from and after its passage and publication.

Approved May 2, 1901.

No. 614, A.] [Published May 6, 1901.

CHAPTER 263.

AN ACT to provide in cities of the first class, for extending on the assessment rolls in the wards or assessment districts of such cities, the proportion of the assessed valuation of the property of gas companies situated therein.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Property how assessed and proportion to assessment districts ascertained. SECTION 1. If any gas company, organized under any general or special law of this state, is carrying on its business, or has property in more than one ward or assessment district in any city of the first class, its franchises and all its property shall be valued and assessed together as a single item, in the manner provided by section 1037a of the Wisconsin statutes of 1898, as amended by chapter 283 of the laws of 1899; and when the amount of such valuation and assessment shall have been determined, the assessors of such city shall meet and extend on the assessment rolls of the respective wards or assessment districts, the proportion of the assessed valuation of such property properly belonging to the same. The proportion shall be ascertained by the length of its mains and pipes, including all such as extend into any building, light or signal, adding to the proportion allowed to each ward or assessment district, any real or personal property so used or owned by such gas company within its limits, so that each ward or assessment district shall have placed, upon its assessment rolls, the proper proportion of the assessed valuation of all the property of such corporation situated within its limits.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 2, 1901.

No. 602, A.] [Published May 6, 1901.

CHAPTER 264.

AN ACT to authorize W. H. Dick, his associates and assigns, to maintain dams and make improvements on Embarrass river.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Location of dam. SECTION 1. W. H. Dick, his associates and assigns, are hereby authorized to maintain dams across the Embarrass river on northeast quarter of the northwest quarter, section thirty-six town twenty-seven range twelve east, also on northwest quarter of the southeast quarter section seven town twenty-six range fourteen east, and to make improvements on the river between the dams hereby authorized in blasting rocks, straightening and clearing the channel of obstructions to log driving.

Log slides and fishways. SECTION 2. There shall be maintained suitable slides and gates in the said dams for running logs and timber over the same. The control of the said dams, slides and gates shall belong to W. H. Dick his associates and assigns. There shall be maintained suitable fishways in said dams.

Rates chargeable for passage of logs. SECTION 3. As compensation for the use of the dams and improvements while driving logs and timber over the same, W. H. Dick his associates and assigns, are authorized to charge and collect from the owner of logs and timber who use the said dams and improvements, the sum of five cents per thousand feet, board measure, for passing over each dam and five cents per thousand feet for passing over and through the improvements in the channel hereby authorized and the same shall be a lien on the logs and timber and may be collected in the same manner as claims for labor are collected.

Right to amend or repeal reserved. SECTION 4. The right to alter, amend or repeal this act is hereby reserved.

SECTION 5. This act shall take effect and be in force, from and after its passage and publication.

Approved May 2, 1901.

No. 472, A.] [Published May 6 1901.

CHAPTER 265.

AN ACT amending section 934 of the statutes of 1898 as amended by section 1 of chapter 131 [139] of the laws of 1899 relating to free libraries.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Appropriations for library not within town, etc.; when to have representation on board. SECTION 1. Section 934 of the statutes of 1898 as amended by section 1 of chapter 131 [139] of the laws of 1899 is hereby amended by adding at the end thereof the following: "The town supervisors, village trustees or common council of any town, village or city is hereby authorized to appropriate a sum of money annually for the use and benefit of a library organized under section 931 of the statutes of 1898, not situated within such town, village or city, the use of which shall be open, without charge, to the inhabitants of such town, village or city making such appropriation. Whenever the amount so appropriated by such supervisors, trustees or common council shall be equal to or exceed one-sixth of the net annual income of the library for the benefit of which such appropriation is made during the preceding year ending on the first day of April, it shall be the duty of the chairman of the town, president of the village or mayor of the city, within which such library is situated, to appoint from among the citizens of the town, village or city making such appropriation, one member of the board of directors of such library in addition to the members otherwise provided by law, which appointment shall be subject to the approval of the town supervisors, village trustees or common council of the town, village or city making such appropriation; such director shall hold his office for the term of three years from the first day of July succeeding such appointment and until his successor is appointed; provided that upon the failure of the proper officers of such town, village or city during any succeeding year to make an appropriation equal to the amount hereinbefore mentioned, the office of the member of the board of directors so appointed from such town, village or city shall become vacant from and after the first day of July next succeeding the failure to make such appropriation;" so that said section when so amended shall read as follows: Section 934 as amended by

chapter 139 of the laws of 1899. Every library and reading room established under this chapter, shall be forever free for the use of the inhabitants of the city, town or village where located, subject to such reasonable rules and regulations as the library board may find necessary to adopt and publish in order to render the use of said library and reading room of the greatest benefit to the greatest number, and they may exclude and cut off from the use of said library and reading room any and all persons who shall wilfully violate such rules; provided, that the board of directors of such library and reading room may under such rules and regulations as they may deem necessary and upon such conditions as may be agreed upon, allow non-residents of the city, town or village in which the library or reading rooms are situated to use the books therein and may exchange such books with any other public library, either permanently or temporarily, and may send out traveling libraries in their own and adjoining counties and any such board may contract with the board of supervisors of the county in which the library is situated or with the board of supervisors of any neighboring county or with individuals or associations or with the board of supervisors, school board, village trustees or common council of any neighboring town, school district, village or city to loan the books of said library singly or in traveling libraries to the residents of said county, town, school district, village or city upon the terms agreed upon in such contract, and every such board of directors, board of county or town supervisors, school district board, village trustees or common council is hereby empowered to make contracts for such purpose and to pay the consideration agreed upon therein to the board of directors of such library and reading room out of the county school district, town, village or city treasury upon the rendering of the proper accounts therefor. The town supervisors, village trustees or common council of any town, village or city is hereby authorized to appropriate a sum of money annually for the use and benefit of a library, organized under section 931 of the statutes of 1898 not situated within such town, village or city, the use of which shall be open, without charge, to the inhabitants of such town, village or city making such appropriation. Whenever the amount so appropriated by such supervisors, trustees or common council shall be equal to or exceed one-sixth of the net annual income of the library for the benefit of which such appropriation is made during the preceding year ending on the first day of April, it shall be the duty of the chairman of the town, president of the village or mayor of the city within which such library is situated, to appoint from among the citizens of the town, village or city mak-

ing such appropriation, one member of the board of directors of such library in addition to the members otherwise provided by law, which appointment shall be subject to the approval of the town supervisors, village trustees or common council of the town, village or city making such appropriation. Such director shall hold his office for the term of three years from the first day of July succeeding such appointment and until his successor is appointed; provided, that upon the failure of the proper officers of such town, village or city during any succeeding year to make an appropriation equal to the amount hereinbefore mentioned, the office of the member of the board of directors so appointed from such town, village or city shall become vacant from and after the first day of July next succeeding the failure to make such appropriation.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 2, 1901.

No. 469, A.] [Published May 6, 1901.

CHAPTER 266.

AN ACT to amend section 2, chapter 368, laws of Wisconsin for 1895 entitled, "An act to provide for the manner of asking and receiving bids for public work or improvements ordered by the common council of any city of the first class in the state of Wisconsin."

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Character of deposit to be made with bid. SECTION 1. Section 2 of chapter 368 of the laws of Wisconsin for 1895 is hereby amended by inserting after the word "money," in the fourth line of said section the words "or a duly certified bank check payable to the order of such board of public works," and by inserting after the word "money," in the ninth line of said section the words, "or such duly certified bank check," and by inserting after the word "money," in the eleventh line of said section the words, "or duly certified bank check," and by inserting after the word "money" in the twenty-third line of said section

the words, "or such duly certified bank check," so that said section when so amended shall read as follows: Section 2. All proposals for such work shall be sealed and directed to such board of public works and shall be accompanied at the time of such bid or proposal with a sum of money or a duly certified bank check payable to the order of such board of public works equal to at least fifteen per centum of the amount of the engineer's estimate of the cost of such work as the board of public works, in such advertisement, may direct under an agreement that such sum of money or such duly certified bank check shall be returned to such bidder in case the contract for the work bid for is not awarded to such bidder or which sum of money or duly certified bank check shall also be returned to such bidder in case such bidder will execute the contract for such work pursuant to his bid, and accompany such contract with good and sufficient bond with satisfactory sureties in case the contract is awarded to such bidder, and also that in case the contract is so awarded and he shall fail to execute a bond with satisfactory sureties, to perform the work specified for the price named in his bid within a reasonable time after such contract is prepared and ready for reasonable time after such contract is prepared and ready for check shall become the property of said city as fixed and liquidated damages for such default and shall be paid by said board to the city treasurer of such city. All bids unless fulfilling the requirements of this act shall be rejected.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 2, 1901.

No. 422, A.] [Published May 6, 1901.

CHAPTER 267.

AN ACT to amend section 3726 of the statutes of 1898, relating to judgments against garnishees in justices' courts.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Appeal by defendant; stay of proceedings. SECTION 1. Subdivision 2 of section 3726 of the statutes of 1898 is hereby

amended by adding thereto the words following, to-wit: "But whenever an appeal shall be taken by a defendant from a judgment given against him and in favor of the plaintiff in the principal suit, and execution on such judgment shall be stayed by the filing with the proper justice of an undertaking for that purpose, approved as required by law, all proceedings in any garnishee proceeding in aid of such principal suit and upon any order or judgment, which may have been given or made in such garnishee proceeding, shall be thereby also stayed until the final determination of such principal suit or such appeal; further proceedings in such garnishee action may be had upon filing a certified copy of the judgment in the original action with the justice of the peace before whom the same is pending and three days' notice to the opposite parties;" so that said sub-division 2 of said section 3726 when so amended shall be as follows: Sub-division 2. If the value of the property in the possession of the garnishee, as found by the justice or jury, shall exceed the amount of the judgment for damages and costs against the principal defendant, then for the amount of the judgment for damages and costs against the principal defendant, with the costs of suit in the action in which he is garnishee, not exceeding the value as found by the justice or jury. The plaintiff at his election, instead of taking judgment as aforesaid for the value as so found against the garnishee, may enforce the delivery of the property found in his hands by proceedings as for a contempt in case of the garnishee's refusal to deliver the property found in his possession pursuant to the order of the justice requiring such delivery. An appeal may be taken from any order of the justice directing the delivery of the property in the garnishee's possession the same as if from a judgment. Proceedings under said order may be stayed during the pendency of the appeal by the execution by the defendant of an undertaking, with one or more sureties, to be approved by the justice, to the effect that if the order appealed from shall be affirmed or the appeal dismissed, the appellant will pay to the plaintiff the value of the property mentioned in said order, with interest, and the costs of the plaintiff on the appeal or, that, in either such event, he will deliver such property to the plaintiff and pay interest on the value thereof and such costs; but whenever an appeal shall be taken by a defendant from a judgment given against him and in favor of the plaintiff in the principal suit, and execution on such judgment shall be stayed by the filing with the proper justice of an undertaking for that purpose, approved as required by law, all proceedings in any garnishee proceeding in aid of such principal suit and upon any order or judgment which may have been

given or made in such garnishee proceeding, shall be thereby also stayed until the final determination of such principal suit or such appeal; further proceedings in such garnishee action may be had upon filing a certified copy of the judgment in the original action with the justice of the peace before whom the same is pending and three days notice to the opposite party.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 2, 1901.

No. 413, A.] [Published May 6, 1901.

CHAPTER 268.

AN ACT requiring all promissory notes and other evidences of indebtedness, given as part consideration for a patent right, to express upon their face the consideration for which given.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Words to be printed on face of note. SECTION 1. All promissory notes and other evidences of indebtedness, taken or given for any lightning rod, patent, patent right or interest in patent right, shall have written or printed thereon the words, "The consideration for this note is the sale of a lightning rod, patent, patent right, or interest in the same, as the case may be."

Penalty for taking note without statement required. SECTION 2. Any person who shall sell a lightning rod, patent, patent right or any interest in a lightning rod, patent or patent right, who shall take a promissory note or other evidence of indebtedness for the whole or any part of the consideration of any lightning rod, patent, patent right or interest in a patent right, and which shall fail to state the consideration for said note as above provided, or in words of similar import, shall be liable to a penalty equal to the face value of said note so taken.

Notes taken for patent, etc., non-negotiable; innocent holder of. SECTION 3. All notes taken as a part of the consideration for any lightning rod, patent, patent right or interest in the same, which shall express upon their face the consideration for which

they are taken, as required in section 1 of this act, shall be non-negotiable, and subject to all the defenses in the hands of an innocent holder that the same would have been if not transferred.

Conflicting laws repealed. SECTION 4. All acts and parts of acts in conflict with the provisions of this act, are hereby repealed.

SECTION 5. This act shall take effect and be in force, from and after its passage and publication.

Approved May 2, 1901.

No. 366, A.] [Published May 6, 1901.

CHAPTER 269.

AN ACT to amend sections 2983 and 2984 of the statutes of 1898, and to add a new section to said statutes to be known as 2984a.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Homestead exemption. SECTION 1. Section 2983 of the statutes of 1898, is hereby amended so as to read as follows: Section 2983. A homestead to be selected by the owner thereof consisting, when not included in any city or village, of any quantity of land, not exceeding forty acres, used for agricultural purposes, and when included in any city or village of any quantity of land not exceeding one-fourth of an acre and the dwelling house thereon and its appurtenances owned and occupied by any resident of this state shall be exempt from seizure or sale on execution, from the lien of every judgment and from liability in any form for the debts of such owner to the amount in value of five thousand dollars, except laborers', mechanics' and purchase money liens and mortgages lawfully executed, and taxes lawfully assessed and except as otherwise provided in these statutes, and such exemption shall not be impaired by temporary removal with the intention to reoccupy the same as a homestead nor by the sale thereof, but shall extend to the proceeds derived from such sale to an amount not exceeding five thousand dollars, while held, with the intention to procure another homestead therewith,

for a period not exceeding two years. Such exemption shall extend to land not exceeding altogether the amount and value aforesaid, owned by a husband and wife jointly or in common and to the interest therein of a tenant in common or two or more tenants in common, having a homestead thereon, with the consent, expressed or implied, of the co-tenants, and to any estate less than a fee held by any person by lease, contract or otherwise.

Homestead, how set apart after levy. SECTION 2. Section 2984 of the statutes of 1898 is hereby amended so as to read, when amended, as follows: Section 2984. Whenever a levy shall be made upon the lands of any person, such person may notify the officer making such levy, at any time before the sale thereof, that he claimed a homestead in such lands, giving a description thereof, and his estimate of the value thereof, and the remainder alone shall be subject to sale under such levy, unless the plaintiff in the execution shall deny the right to such homestead or be dissatisfied with the quantity or estimate of the value of the land so selected. If such plaintiff in the execution is dissatisfied with the quantity selected or the estimate of the value thereof, the officer making the levy shall cause such lands to be surveyed, beginning at a point to be designated by the owner and set off in compact form, including the dwelling house and appurtenances, the amount specified in the preceding section, provided however that the owner of said land may have any quantity of land less than the amount exempted as a homestead under the provisions of the preceding section, set off by such survey so as to bring the value of the premises so claimed as a homestead, to a value not exceeding the sum of five thousand dollars. After the lands are so surveyed and set off, if in the opinion of the plaintiff in the execution, the same shall be of greater value than the sum of five thousand dollars, the officer may still proceed to advertise and sell the said premises so set off, and out of the proceeds of such sale to pay to the homestead claimant the sum of five thousand dollars and apply the balance of the proceeds of such sale on the execution; provided however that no sale shall be made in the case last mentioned unless a greater sum than five thousand dollars shall be bid for said premises. The expenses of such survey and sale shall be collected on the execution, if it shall appear that the owner claimed as his homestead a greater quantity of land or land of greater value than he was entitled to; otherwise such expenses shall be borne by the person directing the same. If such survey be made the remainder not included in such survey, shall be subject to sale under such levy, but if any person shall neglect or refuse to select his homestead and notify such officer as aforesaid, such officer

shall, upon request of the plaintiff in the execution, and may without such request, give notice to such person that at a time and place to be therein named he will proceed to survey and locate the same; and unless such person shall on or before the time so fixed select such homestead, such officer shall proceed to survey and locate the same and set the same off in a compact form, including the dwelling house and its appurtenances, but in such case he shall not set off as a homestead a quantity of land less in area than is provided for in the preceding section. If the owner after such notice, proceeds to select his homestead, then the provisions of this act shall apply the same as if he had selected it before such notice. A homestead so selected and set apart by such officer shall be taken and considered to be the homestead of such person to all intents and purposes subject to the limitation as to value as hereinbefore stated. The costs of such notice and survey shall be collected upon the execution. A failure of the officer to set apart such homestead shall not invalidate or affect such levy, except as to such homestead, nor shall the failure, neglect or refusal of such person to select his homestead forfeit or impair his right thereto, but only his right to select the same when such selection shall be lawfully made by such officer in the manner hereinbefore provided. After such homestead is thus set off by such officer, if in his opinion or in the opinion of the plaintiff in the execution, the premises are of greater value than the sum of five thousand dollars he may proceed to sell the same as provided herein where the owner makes his own selection. If the land claimed as a homestead by any person does not exceed in area the quantity provided by law but does exceed in value the sum of five thousand dollars, the officer levying thereon shall not be bound to set off any portion thereof as a homestead of the debtor but may sell the same as hereinbefore provided, unless the debtor shall make his selection of such a portion thereof as shall not exceed in value the sum of five thousand dollars.

"Homestead" defined. SECTION 3. There shall be added to the statutes of 1898 a new section to be known as section 2984a which shall be and read as follows: Section 2984a. Wherever the word homestead is used in the statutes of 1898 or in any law of this state or in this act, it shall be defined to be the estate or interest in land as defined and set forth in section 1 of this act.

SECTION 4. This act shall take effect and be in force, from and after its passage and publication.

Approved May 2, 1901.

No. 364, A.] [Published May 6, 1901.

CHAPTER 270.

AN ACT appropriating a sum of money, therein named, to the Stevens Point fair association, and directing the secretary of state to audit the claims of said association for state aid hereafter.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Authorization to audit claim. SECTION 1. The secretary of state is hereby authorized to audit the claim of the Stevens Point fair association, of Stevens Point, Wisconsin, for state aid for the year 1900, under section 1463 of the statutes of 1898, and to audit the claim of said association in each year hereafter, upon said association's complying with the provisions of chapter 60 of the statutes of 1898 relating to state aid for county agricultural societies.

Appropriation. SECTION 2. There is hereby appropriated out of any money in the state treasury, not otherwise appropriated, the sum of five hundred and sixty-nine dollars and fifty cents, or so much thereof as is necessary to cover the amount of the claim of the said association for the year 1900.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 2, 1901.

No. 346, A.] [Published May 6, 1901.

CHAPTER 271.

AN ACT to prohibit marriage within one year from the date of the entry of a judgment or a decree of divorce.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Marriage celebrated within year, void; court may authorize on application. SECTION 1. Section 2330 of the statutes of 1898, is hereby amended by adding thereto the following: And it shall not be lawful for any person divorced from the bonds of matrimony by any court of this state, to marry again within one year from the date of the entry of such judgment or decree, and the marriage of any divorced person solemnized within one year from the date of the entry of any such judgment or decree of divorce shall be null and void; but upon application of such divorced person, any court of record or presiding judge thereof, who granted the divorce, in his discretion by order, may authorize the marriage of such divorced person within the year.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 2, 1901.

No. 344, A.] [Published May 6, 1901.

CHAPTER 272.

AN ACT to amend section 925—259 of the statutes of 1898, relating to city marshals, defining their powers and duties.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Powers, duties and bond of city marshal. SECTION 1. Section 925—259 of the statutes of 1898 is hereby amended by adding thereto the following: "He shall give a bond similar in form

to that required by law of constables. He shall possess the powers, enjoy the privileges and be subject to the liabilities conferred and imposed by law upon constables, and be taken as included in all writs and papers addressed to constables. It shall be his duty to obey all lawful written orders of the mayor or common council; to arrest with or without process and with reasonable diligence to take before the police justice every person found in the city in a state of intoxication or engaged in any disturbance of the peace or violating any law of the state or ordinance of such city. He may command all persons present in such case to assist him therein, and if any person, being so commanded, shall refuse or neglect to render such assistance, he shall forfeit not exceeding ten dollars. He shall be entitled to the same fees allowed to constables for similar services; for other service rendered the city, such compensation as the common council shall fix," so that said section when amended shall read as follows: Section 925—259. The city marshal shall be known as such or as captain or chief of police, in the discretion of the council, and shall have command of the police force of the city under the direction of the mayor. He shall give a bond similar in form to that required by law of constables. He shall possess the powers, enjoy the privileges and be subject to the liabilities conferred and imposed by law upon constables, and be taken as included in all writs and papers addressed to constables. It shall be his duty to obey all lawful written orders of the mayor or common council; to arrest with or without process, and with reasonable diligence to take before the police justice every person found in the city in a state of intoxication or engaged in any disturbance of the peace or violating any law of the state or ordinance of such city. He may command all persons present in such case to assist him therein, and if any person, being so commanded, shall refuse or neglect to render such assistance he shall forfeit not exceeding ten dollars. He shall be entitled to the same fees allowed to constables for similar services; for other service rendered the city such compensation as the common council shall fix.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 2, 1901.

No. 251, A.] [Published May 6, 1901.

CHAPTER 273.

AN ACT to authorize any city of the fourth class to provide by ordinance or resolution of its common council, for the use of a portion of all its streets for the deposit of building material thereon and by ordinance for the use of not to exceed three and one-half feet of its streets adjacent to any business building, for approaches to such building, stairways to basement floors and openings for light to basements.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Proceedings by ordinance. SECTION 1. Any city of the fourth class, organized and existing under the general law or under a special charter, as the case may be, may by an ordinance or resolution of its common council, provide for the use of not to exceed one-third in width of any or all of its streets adjacent to any proposed building, for the purpose of temporarily depositing thereon, building material and other articles necessary to be used in and about the construction of such building, and may by ordinance of its common council provide for the use of not to exceed three and one-half feet of its street or streets adjacent to any business building or proposed business building therein, to be used for approaches to such building, stairways to the basement floors of such building or openings for light to such basements.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 2, 1901.

No. 220, A.] [Published May 6, 1901.

CHAPTER 274.

AN ACT to amend section 1463 of the Wisconsin statutes of 1898, relating to state aid for agricultural societies.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

State aid to be based on cash premiums paid. SECTION 1. The first paragraph of section 1463 of the Wisconsin statutes of 1898 is hereby amended by inserting between the words "of" and "premiums," in the sixth line and between the words "in" and "premiums" in the tenth line of said paragraph, the word "cash," so that said paragraph when so amended shall read as follows: Section 1463. There shall be paid within ten days after the first day of each February, out of the state treasury, to each organized agricultural society and industrial association other than the northern Wisconsin state fair and the state fair, and except as provided in section 1458d which shall substantially comply with the following conditions, forty per centum of the total amount of cash premiums paid thereby during the preceding year; provided, that no such society or association which received from the state for the year 1888, the sum of two hundred dollars and ten per centum on the amount paid for premiums, shall receive less than two hundred dollars; that such forty per centum shall not be paid on more than three thousand dollars in cash premiums to one society or association, and that in computing the amount on which it is to be paid there shall not be included more than one thousand dollars of premiums paid for trials or exhibitions of speed of all classes in any one year.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 2, 1901.

No. 248, A.] [Published May 6, 1901.

CHAPTER 275.

AN ACT to authorize the governor to loan two Wisconsin battle flags of the civil war to the General Grant Monument Association.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

What flags to be loaned. SECTION 1. The governor is authorized to loan, for an indefinite period, to the General Grant Monument Association, two battle flags, one from each of two regiments that served under General Grant during the civil war, and have two sets of flags, said flags to be properly labeled and placed in the proposed collection of flags in a room in General Grant's monument at Riverside Park, New York City.

Conflicting laws repealed. SECTION 2. All acts and parts of acts in conflict with this act are hereby repealed.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 2, 1901.

No. 218, A.] [Published May 6, 1901.

CHAPTER 276.

AN ACT to legalize actions of courts, county boards, common councils, village and town boards in laying out, widening, extending or vacating streets, alleys, highways et cetera, under section 3187a of the Wisconsin statutes of 1898, as amended by chapter 351 of the laws of 1899.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

All proceedings legalized; actions to annul or vacate, when to be brought. SECTION 1. In all proceedings heretofore taken for laying out, widening, extending or vacating any street, alley,

water channel, park highway or other public place, wherein the requirements of section 3187a of the Wisconsin statutes of 1898 as amended by chapter 351 laws of 1899, shall not have been fully complied with and in which proceedings no adverse appearance has been made or action taken to question, set aside, annul, vacate or in any manner to attack the validity of the acts done in laying out, widening, extending or vacating any street, alley, water channel, park highway or other public place, shall be and the same are hereby declared to be legal to the same extent as if all such requirements and acts had been made and performed in accordance with said section and chapter, provided however that nothing herein contained shall in any manner affect any action or proceeding whatever, heretofore taken in which there shall have been any such adverse appearance made, or action taken to question, set aside, annul, vacate or in any manner to attack the validity of such acts or in any action or proceeding now pending in which such appearance shall be made or action taken; and provided further, that no action or proceeding to set aside, annul, vacate or in any manner to attack the validity of such acts shall be brought, had or taken unless the same shall be begun within six months after this act shall take effect.

SECTION 2. This act shall take effect and be in force, from and after six months after its passage and publication.

Approved May 2, 1901.

No. 215, A.] [Published May 6, 1901.

CHAPTER 277.

AN ACT to amend section 4890 of the statutes of 1898 relating to the compensation of officers of the state prison.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Salary and subsistence of officers; powers of board of control. SECTION 1. Section 4890 of the statutes of 1898 is hereby amended by striking therefrom the following sentence: "All officers and employes, except the clerk, chaplain and physicians,

shall be subsisted in the prison at the expense of the state and there shall be allowed to the warden and deputy warden sufficient house room with fuel, lights and subsistence for themselves and their families," and inserting in the place thereof the following: "All officers and employes, and the wives and minor children of the warden and deputy warden may be subsisted in the prison at the expense of the state. In addition thereto there shall also be allowed to the warden and deputy warden each, sufficient house room, with fuel and lights and domestic service of prisoners for himself and family, but the board of control may require the warden to subsist himself and family at his own expense and may pay him a fixed sum in addition to his aforesaid salary, not exceeding twelve hundred dollars per annum, as commutation for such subsistence," so that the section when thus amended shall read as follows: Section 4890. The officers of the prison shall receive the following salaries and compensation. The warden two thousand dollars per annum, the deputy warden one thousand dollars per annum, the chaplain eight hundred dollars per annum and all other officers and employes such amounts as the state board of control may from time to time determine and fix upon. All officers and employes and the wives and minor children of the warden and deputy warden may be subsisted in the prison at the expense of the state. In addition thereto there shall also be allowed to the warden and deputy warden each, sufficient house room, with fuel and lights and domestic service of prisoners for himself and family, but the board of control may require the warden to subsist himself and family at his own expense and may pay him a fixed sum in addition to his aforesaid salary, not exceeding twelve hundred dollars per annum, as commutation for such subsistence. No other perquisite, reward or emoluments shall be allowed or be received by any officer or employe of said prison.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 2, 1901.

No. 199, A.] [Published May 6, 1901.

CHAPTER 278.

AN ACT relating to sidewalks in towns, amending section 1346a of the statutes of 1898 and adding thereto a new section to be numbered section 1346b.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Building of sidewalk; penalty for obstructions upon; notice for repairs. SECTION 1. Section 1346a, of the Wisconsin statutes of 1898, is hereby amended by inserting the word "such" after the word "any" at the beginning of line ten in said section, so that said section when so amended shall read as follows: Section 1346a. Any person residing in any town may build and construct sidewalks along the line of any street or highway, of any suitable material, not exceeding eight feet wide, upon premises owned or occupied by him, and keep the same in repair; and any person who shall pile timber, wood, posts or lumber, or lead or drive any team or animal, or place any offal upon, or otherwise obstruct the travel on any sidewalk built as aforesaid or otherwise, or wilfully injure the same shall be liable to a fine of two dollars for every such offense, and shall also be liable to the owner thereof for all damages. Whenever the public convenience or safety requires any such sidewalk to be repaired, the board of supervisors shall give written notice to the parties owning the property in front of which such sidewalk is laid, if known and residing in said town, and if unknown or not residents thereof, shall post written notices in three or more public places in said town requiring such repairs to be made, and also prescribing that unless such sidewalk therein specified be repaired, to the satisfaction of such board within three days thereafter, they will repair the same at the expense of the property; and if the same be not in such time repaired, the board shall repair it and certify to the town clerk the cost of the repairs, together with a description of the property in front of which the repairs are made, and said town clerk shall add such cost to the next tax roll, opposite to the description of property returned, and the said cost shall be collected as other taxes.

Sidewalk in front of farm property; how maintained. SECTION 2. A new section is hereby added to the statutes of 1898

to be numbered and to read as follows: Section 1346b. If any sidewalk be built in a town in front of farming property to connect a village with a railroad station or wharf, such sidewalk shall be maintained and kept in repair by the town board, and the board is hereby authorized to assess the expense thereof as a part of the highway tax in their town.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 2, 1901.

No. 169, A.] [Published May 6, 1901.

CHAPTER 279.

AN ACT to appropriate a sum of money therein named, to the Wisconsin state firemen's association.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Appropriation, when payable. SECTION 1. There is hereby appropriated to the Wisconsin state firemen's association the sum of seven hundred and fifty dollars, out of any moneys not otherwise appropriated. This appropriation is for the years 1901 and 1902, and the said sum so appropriated shall be paid to said association in two equal payments to be made on or before the first day of June in each of the said years.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 2, 1901.

No. 57, A.] [Published May 6, 1901.

CHAPTER 280.

AN ACT to provide for the service of garnishment notices in justices' courts.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Notice on absent claimant; form of; undertaking by plaintiff upon failure of claimant to appear. SECTION 1. Section 3723b of the statutes of 1898 is hereby amended by adding at the end thereof the following: If such claimant cannot be found or shall be a non resident of the state, the justice shall enter an order on his docket requiring the plaintiff to publish such notice for two successive weeks in a newspaper printed in the county, if there be one, and if not to post up said notice in three of the most public places in the town, city or village at least four weeks before rendering judgment. Such notice may be substantially in the following form:

..... County, } In Justices' Court.
..... }

.....
Justice of the Peace.

To .....:

You are hereby notified that in an action of garnishment in said court, between ....., plaintiff and ...., garnishee, the said garnishee states in his answer that you claim from him certain moneys, property or effects in question in said action, and that he is in doubt as to whom the same belong. Unless you appear in said court on the ..... day of ....., 19.... at ..... o'clock in the ..... noon and prove your claim to the same, the said court will proceed to judgment as the rights of the parties shall appear.

.....
Plaintiff.

Such publication may be proved by the affidavit of the publisher or foreman of the newspaper or such posting by the return of an officer or affidavit of any person who would be a compe-

tent witness in the case. In case the said person so alleged to claim such property, moneys or effects, does not appear, the same shall not be paid or delivered to the plaintiff, nor any part thereof, unless he shall procure an undertaking to be entered upon the docket signed by a surety to be approved by the justice, substantially in the following form:

..... County, } In Justices' Court.
..... }

.....
Justice of the Peace.

In an action of garnishment of ....., plaintiff against ...., garnishee, the garnishee having answered that .... claims the property, moneys or effects in question, and said absent claimant having been notified thereof, and not having appeared and the court having decided that said property belongs to the defendant, and should be paid to the plaintiff.

Now I do undertake, pursuant to the statute, that the said plaintiff will pay all damages not exceeding three hundred dollars, which the said absent claimant may sustain by reason of said judgment.

Dated ....., 19.....

.....
Surety.

Such absent claimant may bring an action on such undertaking, and if he shall substantiate his title to the property he shall be entitled to recover thereon; provided an action be brought on said bond within one year from the date of judgment in the action.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 2, 1901.

No. 45, A.] [Published May 6, 1901.

CHAPTER 281.

AN ACT authorizing the appointment of a commission to ascertain and exactly determine the positions of Wisconsin troops in the campaign and siege of Vicksburg and to make an appropriation to pay the necessary traveling expenses of the members of the commission.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Governor to appoint commission. SECTION 1. That the governor of the state be and he is hereby authorized to appoint a commission consisting of three or more members representing the various infantry and cavalry regiments and batteries of light artillery which participated in the campaign and siege of Vicksburg. Each member of said commission shall have served with honor in the campaign and siege of Vicksburg and with the organization or organizations which he is appointed to represent, and shall serve on the commission without pay, except as to the necessary traveling expenses.

Duty of commission. SECTION 2. That it shall be the duty of the commission to co-operate with the national park commission in ascertaining and exactly determining the positions of each Wisconsin organization in the siege of Vicksburg, and also to recommend to the governor of the state such subsequent legislation as will, in the opinion of the commission, permanently and suitably mark the positions thus ascertained and worthily commemorate the valor and services of Wisconsin soldiers in the campaign and siege of Vicksburg.

Appropriation. SECTION 3. That the sum of one thousand dollars or so much thereof as may be necessary, be and the same is hereby appropriated out of the funds of the state treasury not otherwise appropriated, to be drawn and used by said commission to pay the necessary traveling expenses of the members thereof in the discharge of the duties aforesaid on the presentation of such certified vouchers as the secretary of state shall direct.

Commission to report. SECTION 4. Said commission shall make a full report of the execution of its trust to the governor on or before the fifteenth day of January 1902.

SECTION 5. This act shall take effect and be in force, from and after its passage and publication.

Approved May 2, 1901.

No. 48, A.] [Published May 6, 1901.

CHAPTER 282.

AN ACT relating to the levee at the city of Portage, and vicinity, and making an appropriation therefor for the purpose of protecting the lives and property of citizens of the state of Wisconsin.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Purpose of appropriation. SECTION 1. An amount not exceeding twenty thousand dollars is hereby appropriated from the general fund of this state for the purpose of constructing and strengthening the levee system already existing in the vicinity of Portage on the Wisconsin river in Columbia and Sauk counties, Wisconsin.

Governor to appoint commissioners; powers of. SECTION 2. The governor of Wisconsin is hereby authorized to appoint three commissioners who shall have charge of the work of constructing and strengthening the said levee system now in existence, in such manner as in their judgment will best protect said city and vicinity from the overflow of the Wisconsin river. Said commissioners shall have full charge of said work and shall certify the bills which may be contracted and audit the same and which shall be paid on the approval of the governor. Said commissioners are to serve without salary but may be allowed the actual expenses incurred in the performance of their duties to be paid out of this appropriation.

State to incur no obligations. SECTION 3. In making this appropriation it is expressly stated and is to be distinctly understood that the state of Wisconsin incurs no obligation to protect, repair or add to the works which may be erected under the provisions of this act, or to incur any liability in any manner for their expenses or responsibility for their maintenance thereafter,

but they shall be cared for and protected by the several municipalities in which they are situated, excepting such levees as may have been constructed by and shall be under the control of the general government.

Municipalities to obtain right of way. SECTION 4. The right of way for such levees if any shall be found necessary in addition to that already obtained, shall be furnished by the municipalities in which they are situated without expense to the state therefor and no work of construction shall be entered upon until it shall have been so furnished.

Requisitions for funds. SECTION 5. As the work of construction proceeds, the said commissioners after auditing the bills, may make their requisitions from time to time for the necessary moneys to carry it forward, which requisitions when approved by the governor, shall be audited by the secretary of state and warrants drawn therefor.

SECTION 6. This act shall take effect and be in force, from and after its passage and publication.

Approved April 29, 1901.

No. 411, S.] [Published May 6, 1901.

CHAPTER 283.

AN ACT to amend chapter 112 of the laws of 1901, entitled "An act to add a new section to-wit: section 3874a, to the statutes of 1898, relating to the sale of estates of deceased persons, and to amend section 3881 relating to the same subject."

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

When order for sale, lease, etc., of real property may be made by court. SECTION 1. Section 2 of chapter 112 of the laws of 1901 is hereby amended by inserting the word "or" after the word "debts" where it occurs at the end of the third paragraph of section 3881 as set forth in said chapter, so that said section 2 of chapter 112 of the laws of 1901 shall read as follows: Section 2. "Section 3881 of the statutes of 1898 is hereby amended by adding at the end thereof a new subdivision to be known as

subdivision four and to read as follows: '4. That the personal estate of the deceased is insufficient for the payment of the charge of administration.' So that when so amended said section shall read as follows: Section 3881. The court shall make no order for the mortgaging, leasing or sale of the real property of the deceased until upon examination it shall appear to said court:

1. That the executor or administrator making such application has fully complied with the preceding provisions of this chapter;

2. That the debts for the purpose of satisfying which the application is made are justly due and owing;

3. That the personal estate of the deceased is insufficient for the payment of such debts or

4. That the personal estate of the deceased is insufficient for the payment of the charges of administration."

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 4, 1901.

No. 352, S.] [Published May 7, 1901.

CHAPTER 284.

AN ACT to amend section 4559 of the statutes of 1898 relating to the injury of telegraph and telephone wires.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Penalty for wilful injury to wires; notice to owner. SECTION 1. Section 4559 of the statutes of 1898 is hereby amended by striking out the words "telegraph or telephone" wherever they occur in said section and inserting in lieu thereof the words "telegraph, telephone, electric railway, electric light or electric power," so that said section, when amended, shall read as follows: Section 4559. Any person having the right so to do who shall wilfully remove or change any building or other structure or any timber, standing or fallen, to which any telegraph, telephone, electric railway, electric light or electric power lines or wires are in any manner attached, or cause the same to be done,

which shall destroy, disturb or injure the wires, poles or other property of any telegraph, telephone, electric railway, electric light or electric power company transacting business in this state, without first giving to such company, at its office nearest to such place of injury, at least twenty-four hours' previous notice thereof, shall be punished by imprisonment in the county jail not more than thirty days or by fine not exceeding fifty dollars. And any person who shall unlawfully break down, interrupt or remove any telegraph, telephone, electric railway, electric light or electric power line or wire or destroy disturb, interfere with or injure the wires, poles or other property of any telegraph, telephone, electric railway, electric light or electric power company in this state shall be punished by imprisonment in the county jail not more than three months or by fine not exceeding one hundred dollars.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 4, 1901.

No. 146, S.] [Published May 7, 1901.

CHAPTER 285.

AN ACT to amend section 428a of the statutes of 1898, relating to the rights of women to vote at elections pertaining to school matters, and providing separate ballot boxes therefor.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Qualifications necessary for women to vote; separate ballot boxes for. SECTION 1. Section 428a of the statutes of 1898 is hereby amended by adding thereto the following: "Separate ballot boxes shall be furnished at every election precinct in this state at every primary, general, municipal or special election for the use of women desiring to vote on said school matters, and separate ballots shall also be provided at said elections for the use of said women." So that when amended, said section shall read as follows: "Section 428a. Every woman who is a citizen of this state, of the age of twenty-one years or upwards (except paupers, persons under guardianship, and persons otherwise excluded by

section two of article three of the constitution of Wisconsin), who has resided within the state one year, and in the election district where she offers to vote, ten days next preceding any election pertaining to school matters shall have a right to vote at such election. Separate ballot boxes shall be furnished at every election precinct in this state at every primary, general, municipal or special election for the use of women desiring to vote on said school matters, and separate ballots shall also be provided at said elections for the use of said women."

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 4, 1901.

No. 432, A.] [Published May 7, 1901.

CHAPTER 286.

AN ACT to relieve the city of New Richmond, Wisconsin, from its indebtedness to the trust funds and making an appropriation therefor.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Appropriation from general fund. SECTION 1. There is hereby appropriated out of any moneys in the state treasury, not otherwise appropriated, the sum of twenty-one thousand five hundred dollars for the purpose of relieving the city of New Richmond of its indebtedness to the state trust funds incurred after the tornado of June 12, 1899, which destroyed a large part of said city.

Transfer to trust fund account. SECTION 2. The state treasurer shall transfer to the trust fund account the amount appropriated by this act, and the trust fund commissioners shall thereupon cancel a like amount of the indebtedness of said city of New Richmond.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 3, 1901.

No. 204, S.] [Published May 7, 1901.

CHAPTER 287.

AN ACT to require the commissioners of the public lands of the state of Wisconsin to convey to Ephraim Mariner et al., grantees of the Sturgeon Bay and Lake Michigan Ship Canal and Harbor company, certain lands herein described.

Grant of lands to state by United States. Whereas, by act of congress, approved April 10, 1866, the United States granted to the state of Wisconsin, for the purpose of aiding said state in constructing and completing a breakwater, harbor and ship canal, to connect the waters of Green Bay with the waters of Lake Michigan, two hundred thousand acres of public lands, to be selected in subdivisions agreeably to the United States survey, by an agent or agents appointed by the governor of this state, subject to the approval of the secretary of the interior, which lands were by said act made subject to the disposal of the legislature of this state, for such purposes and not for any other; and,

Lands conferred on company. Whereas, the legislature of this state, by chapter 105 of the laws of 1868, accepted such grant of lands and conferred the same upon the Sturgeon Bay and Lake Michigan Ship Canal and Harbor Company; and,

Selection of lands. Whereas, said grant so accepted was selected by agents appointed by the governor of this state, which selections were duly approved by the secretary of the interior and the lands so accepted certified by the proper officers of the United States to the state of Wisconsin on account of said grant, and,

Description of lands. Whereas, there were among the lands so selected the following described lands, which were afterward claimed by the state to be swamp lands under the rule of section [selection] adopted between state and the United States, namely: Southwest quarter of southwest quarter, section one, town twenty-eight north, range nineteen east; northwest quarter of northeast quarter, section seventeen, town twenty-eight north, range nineteen east; northwest quarter of southwest quarter, section one, northwest quarter of northeast quarter, section seventeen, northwest quarter of southeast quarter, section nineteen, southeast quarter of northeast quarter, section twenty-three,

town twenty-nine north, range nineteen east; lot two, section twenty-seven, town thirty-two north, range nineteen east; southeast quarter of northeast quarter, section nine, northwest quarter of southeast quarter, section nine, town thirty-three north, range nineteen east; northwest quarter of northeast quarter, section fifteen, southwest quarter of southeast quarter, section seventeen, southeast quarter of northeast quarter, section nineteen, northeast quarter of southeast quarter, section twenty-one, town thirty-four north, range nineteen east; southwest quarter of northwest quarter, section five, town twenty-seven north, range twenty east; northeast quarter of northeast quarter of section nineteen, town twenty-eight north, range twenty east, northeast quarter of northwest quarter, of section twenty-seven, town thirty north, range twenty east; southwest quarter of southwest quarter, section twenty-seven, town thirty north, range twenty east; southeast quarter of southwest quarter, section thirteen, town thirty-one north, range twenty east; southwest quarter of northwest quarter of section seventeen, town thirty-one north, range twenty east; southeast quarter of northeast quarter of section nineteen, town thirty-one north, range twenty east; southeast quarter of southeast quarter of section nine, northeast quarter of section thirteen, the southwest quarter of southeast quarter of section seventeen, town thirty-three north, range twenty east; southwest quarter of northwest quarter, section twenty-five, town thirty-four north, range twenty east; northeast quarter of northwest quarter of section twenty-five, southeast quarter of northwest quarter of section twenty-nine, town thirty-five north, range twenty east; southeast quarter of northeast quarter of section seven, northeast quarter of northeast quarter of section eleven, town tewnty-nine north, range twenty-one east; northwest quarter of northeast quarter of section eleven, southeast quarter of northwest quarter and southeast quarter of southeast quarter of section thirteen, southeast quarter of northeast quarter of section twenty-one, southeast quarter of southwest quarter and south half of southeast quarter, section thirty-one, town thirty-one, north range twenty-one east; northeast quarter of southeast quarter of section twenty-nine, town thirty-three north, range twenty-one east; southeast quarter of southeast quarter of section nineteen, town thirty-four north, range twenty-one east; northwest quarter of northeast quarter and southeast quarter of southeast quarter of section twenty-five town thirty-one north, range twenty-two east; northwest quarter of northeast quarter and northeast quarter of northwest quarter of section three, and northwest quarter of northeast quarter, of section twenty-seven, town thirty-two north, range twenty-two east; southeast quarter

No. 204, S.] ... and northeast quarter of ..., town thirty north, range

CHA

AN ACT to require the ... state of Wisconsin to ... tees of the Sturgeon ... Harbor company, ...

Grant of lands to st ... congress, approved A ... the state of Wiscon ... constructing and ... canal, to connect ... Lake Michigan, ... be selected in su ... vey, by an agen ... state, subject to ... which lands we ... legislature of ... and,

Lands conf ... state, by ch ... of lands a ... Lake Mich ...

Selectio ... lected by ... selection ... and the ... United ... and,

... after such selection and certi- ... and Lake Michigan Ship Canal ... ently constructed and completed ... s completion was certified by the ... ompany, and a copy of such certifi- ... office of the secretary of state of ... mains, and the commissioners of the ... ave from time to time conveyed to the ... ake Michigan Ship Canal and Harbor ... grant of two hundred thousand acres, ... before described, and the said Sturgeon ... n Ship Canal and Harbor Company has, ... valuable of said lands, sold and conveyed ... Ephraim Mariner the remaining of said ... lands hereinbefore particularly described;

on of lands, held. Whereas, subsequent gov- ... have been of opinion that the lands above de- ... ed to the state in aid of said canal and harbor ... in fact they should have been certified to the ... lands and should still belong to the state as ... d advised the commissioners of the public lands ... e lands hereinbefore particularly described to ... anal and Harbor Company, but to apply to the ... t of the United States to receive a surrender of ... n the state freed from the grant in aid of the con- ... aid ship canal and harbor, and certify the same to ... swamp lands under the swamp land act of 1850;

Des ... **on wrong certification.** Whereas, the attorney general ... acting under such suggestion, applied to the com- ... public lands of the United States to vacate the cer- ... the lands hereinabove described to the state in aid ... n of said ship canal and harbor and to rectify ... as swamp lands, under the act of 1850, and ... tion the commissioner of the general land of- ... citing all persons who claimed an interest in ... efore particularly described to appear before ... n Washington and show cause why the prayer ... should not be allowed and certification of said

aid of said ship canal and harbor be vacated
rtified to the state as swamp lands, and in
ation the legal representatives of the said
had meantime departed this life, and the said
r appeared before the said commissioner and
ition of the state and claimed said lands under
n Bay and Lake Michigan Ship Canal and Har-
setting out their title thereto; and,

n **hearing.** Whereas, the said commissioner, after
of the case, on the twenty-fifth of September, 1895,
decision, in which he held that the act of the land
nt in certifying the lands hereinbefore described to the
Wisconsin, upon its selections, pursuant to the act of
s of April 10, 1866, granting the lands to the state, was
decision and passed the title to these lands to the state,
xhausted the right and the power of the United States
and in regard to these lands, and denied the petition of said
e; and,

Appeal to secretary of interior; decision of. Whereas, the state of Wisconsin appealed from such decision to the secretary of the interior and the secretary of the interior, on the third of June, 1899, made a decision affirming the decision of the commissioner of public lands, and,

Refusal of commissioners of public lands to convey lands. Whereas, Charles F. Pfister and Louise F. Vogel, the legatees under the wills of Guido Pfister and Elizabeth Pfister, his wife are entitled to one-third undivided of said lands, and the said Ephraim Mariner to two-thirds, under the conveyance from the ship canal and harbor company, and the state holds the same as trustee under the grant, by the act of congress of 1866, and its acceptance by act of the legislature aforesaid, without and beneficial interest therein, and under the decision of the commissioner of public lands and the secretary of the interior of right ought to convey the said lands to the said Charles F. Pfister and Louise F. Vogel and Ephraim Mariner, in the proportions to which they are entitled, and they, the said Charles F. Pfister Louise F. Vogel and Ephraim Mariner, have applied to the commissioners of the public lands of the state of Wisconsin, requesting them to convey such lands to them, according to their interests as aforesaid, and the commissioners of the public lands have refused so to do: now therefore,

of northeast quarter of section eleven, and northeast quarter of northwest quarter of section thirty-one, town thirty north, range twenty-three east; and,

Completion of canal. Whereas, after such selection and certification the said Sturgeon Bay and Lake Michigan Ship Canal and Harbor Company, subsequently constructed and completed the whole of said canal, and its completion was certified by the governor of the state to said company, and a copy of such certification was deposited in the office of the secretary of state of this state, where it still remains, and the commissioners of the public lands of this state have from time to time conveyed to the said Sturgeon Bay and Lake Michigan Ship Canal and Harbor Company all of the said grant of two hundred thousand acres, except the lands hereinbefore described, and the said Sturgeon Bay and Lake Michigan Ship Canal and Harbor Company has, after selling the most valuable of said lands, sold and conveyed to Guido Pfister and Ephraim Mariner the remaining of said lands, including the lands hereinbefore particularly described; and,

Wrong certification of lands, held. Whereas, subsequent governors of this state have been of opinion that the lands above described were certified to the state in aid of said canal and harbor in error, and that in fact they should have been certified to the state as swamp lands and should still belong to the state as swamp lands, and advised the commissioners of the public lands not to convey the lands hereinbefore particularly described to the said Ship Canal and Harbor Company, but to apply to the land department of the United States to receive a surrender of said lands from the state freed from the grant in aid of the construction of said ship canal and harbor, and certify the same to the state as swamp lands under the swamp land act of 1850; and,

Hearing on wrong certification. Whereas, the attorney general of the state, acting under such suggestion, applied to the commissioner of public lands of the United States to vacate the certification of the lands hereinabove described to the state in aid of the construction of said ship canal and harbor and to rectify them to the state as swamp lands, under the act of 1850, and upon such application the commissioner of the general land office made an order citing all persons who claimed an interest in said lands hereinbefore particularly described to appear before him at his office in Washington and show cause why the prayer of said petition should not be allowed and certification of said

land to the state in aid of said ship canal and harbor be vacated and the said lands certified to the state as swamp lands, and in obedience to such citation the legal representatives of the said Guido Pfister, who had meantime departed this life, and the said Ephraim Mariner appeared before the said commissioner and answered the petition of the state and claimed said lands under the said Sturgeon Bay and Lake Michigan Ship Canal and Harbor Company, setting out their title thereto; and,

Decision on hearing. Whereas, the said commissioner, after the hearing of the case, on the twenty-fifth of September, 1895, rendered a decision, in which he held that the act of the land department in certifying the lands hereinbefore described to the state of Wisconsin, upon its selections, pursuant to the act of congress of April 10, 1866, granting the lands to the state, was a final decision and passed the title to these lands to the state, and exhausted the right and the power of the United States over and in regard to these lands, and denied the petition of said state; and,

Appeal to secretary of interior; decision of. Whereas, the state of Wisconsin appealed from such decision to the secretary of the interior and the secretary of the interior, on the third of June, 1899, made a decision affirming the decision of the commissioner of public lands, and,

Refusal of commissioners of public lands to convey lands. Whereas, Charles F. Pfister and Louise F. Vogel, the legatees under the wills of Guido Pfister and Elizabeth Pfister, his wife are entitled to one-third undivided of said lands, and the said Ephraim Mariner to two-thirds, under the conveyance from the ship canal and harbor company, and the state holds the same as trustee under the grant, by the act of congress of 1866, and its acceptance by act of the legislature aforesaid, without and beneficial interest therein, and under the decision of the commissioner of public lands and the secretary of the interior of right ought to convey the said lands to the said Charles F. Pfister and Louise F. Vogel and Ephraim Mariner, in the proportions to which they are entitled, and they, the said Charles F. Pfister Louise F. Vogel and Ephraim Mariner, have applied to the commissioners of the public lands of the state of Wisconsin, requesting them to convey such lands to them, according to their interests as aforesaid, and the commissioners of the public lands have refused so to do: now therefore,

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Commissioners of public lands, ordered to convey lands. SECTION 1. That under the decisions of the commissioner of public lands of the United States, in the case of the state of Wisconsin vs. Elizabeth Pfister et. al. pending before him, rendered September 25, 1895, and the decision of the secretary of the interior of the United States on the appeal of the state of Wisconsin from that decision, rendered June 3, 1899, the claim of the state to hold the lands hereinbefore particularly described, as property of the state under the swamp land act, is not well founded; that such lands in equity ought to be the property of the said Charles F. Pfister, Louise F. Vogel and Ephraim Mariner, and that the state holds the legal title thereto as trustee for them, under the act of congress of April 10, 1866, granting said lands, and the acceptance of such grant by act of the legislature of this state, by chapter 105 of the laws of 1868, and the selection of said lands by the agents of the state on account of said grant, and the certification of said lands so selected, by the United States to the state, on account of such grant, by the act of April 10, 1866, in aid of the construction of said ship canal and harbor, and the acceptance thereof by the state for the purpose of said grant, and it is the duty of the commissioners of public lands of this state, and they are hereby required, upon the passage of this act, to convey said lands to the said Charles F. Pfister, Louise F. Vogel and Ephraim Mariner in fee, by patent reciting the facts, in the proportions of one-third to the said Charles F. Pfister and Louise F. Vogel and two-thirds to the said Ephraim Mariner.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 3, 1901.

No. 100, S.] [Published May 7, 1901.

CHAPTER 288.

AN ACT to provide for the establishment and maintenance of county schools of agriculture and domestic economy and making an appropriation therefor.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

What counties may build; appropriations for. SECTION 1. The county board of any county is hereby authorized to appropriate money for the organization, equipment, and maintenance of a county school of agriculture and domestic economy. The county boards of two or more counties may unite in establishing such a school, and may appropriate money for its organization, equipment, and maintenance.

Board for, how appointed; vacancies on; oath of members; organization. SECTION 2. A board to be known as the county school board is hereby created, which shall have charge and control of all matters pertaining to the organization, equipment, and maintenance of such school, except as otherwise provided by law. Said board shall consist of three members, one of whom shall be the county superintendent of schools of the county or district, in which the school is located. The other members of the board shall be elected by the county board, for the term of three years from the date of their election, "but no member of the county board shall be eligible." Vacancies existing in the board from whatever cause, except in the case of the county superintendent, shall be filled by appointment made by the chairman of the county board, if the county board is not in session when such vacancy occurs. If the county board is in session, vacancies shall be filled by election by said board for the unexpired term. Appointments made by the chairman of the county board, as hereinbefore specified, shall be for the term to elapse until the next regular meeting of the county board. Each person appointed or created a member of the county school board, shall within ten days after the notice of such appointment, take and subscribe an oath, to support the constitution of the United States and the constitution of Wisconsin, and honestly, faithfully, and impartially to discharge his duties as a member of said board, to the best of his ability, which oath shall be filed in the

office of the county clerk. He shall also, within the same time, file a bond in such sum as may be fixed by the county board, which bond shall be filed in the office of the county clerk. Within fifteen days after the appointment of said board, the members thereof shall meet and organize by electing one of their number as president. The county superintendent of schools shall be ex-officio secretary of the said board. The said board shall prescribe the duties of the several officers, except as fixed by law.

When two or more counties unite. SECTION 3. Whenever two or more counties unite in establishing such a school, the provisions of section 2 of this act shall apply to the organization of the county school board, and to filling vacancies therein, provided that the county superintendent of the county in which the school is located shall be a member of the board and ex-officio its secretary, and two members shall also be elected from each county by the county board thereof. "But no member of the county board shall be eligible."

Apportionment of amounts for maintenance. SECTION 4. Whenever two or more counties unite in establishing and maintaining such school, the county school board provided for in such cases shall determine the amount of money necessary for the equipment and maintenance of the school for the second year, and annually each year thereafter; they shall apportion the amount to be raised by taxation among the counties in proportion to the assessed valuation of each county, as last fixed by the state board of assessment, and shall report to the county clerk of each county the apportionment so made on or before the first Monday of November in each year. The amount so apportioned to each county shall be levied in the county tax for the ensuing year for the support of the school.

County treasurer ex-officio treasurer of board. SECTION 5. "The county treasurer shall be ex-officio treasurer of said board;" all moneys appropriated and expended under the provisions of this act, shall be expended by the county school board, and shall be paid by the county treasurer or treasurers on orders issued by said board, "and all moneys received by said board shall be paid to the county treasurer for the fund of the county school board."

Courses of study. SECTION 6. In all county schools of agriculture and domestic economy organized under the provisions of this act, instruction shall be given in the elements of agriculture, including instruction concerning the soil, the plant life, and the animal life of the farm; a system of farm accounts shall

also be taught; instruction shall also be given in manual training and domestic economy, and such other subjects as may be prescribed.

Land to be had in connection. SECTION 7. Each such school shall have connected with it a tract of land suitable for purposes of experiment and demonstration, and not less than "three" acres in area.

Schools to be free; special instruction. SECTION 8. The schools organized under the provisions of this act shall be free to inhabitants of the county or counties contributing to their support, who shall be qualified to pursue the course of study, provided they shall have at least the qualifications required for completion of the course of study for common schools. Whenever students of advanced age desire admission to the school during the winter months in sufficient number to warrant the organization of special classes for their instruction, such classes shall be organized and continued for such time as their attendance may make necessary.

Duty of state superintendent. SECTION 9. The state superintendent shall give such information and assistance and establish such requirements as may seem necessary for the proper organization and maintenance of such schools. With the advice of the dean of the college of agriculture of the state university, he shall prescribe the courses of study to be pursued, and determine the qualifications required of teachers employed in such schools. He shall have the general supervision of all schools established under this act; shall from time to time inspect the same, make such recommendations relating to their management as he may deem necessary, and make such report thereon as shall give full information concerning their number, character and efficiency.

State aid for, how obtained. SECTION 10. Any school established under the provisions of this act, whose courses of study and the qualifications of whose teachers have been approved by the state superintendent and the dean of the college of agriculture, may upon applications, be placed upon an approved list of county schools of agriculture and domestic economy. A school once entered upon such list may remain listed and be entitled to state aid so long as the scope and character of its work are maintained in such manner as to meet the approval of the state superintendent; provided that he shall not place upon said list more than two schools. On the first day of July in each year, the secretary of each county school board maintaining a school

on the approved list, shall report to the state superintendent, setting forth the facts relating to the cost of maintaining the school, the character of the work done, the number and names of teachers employed and such other matters as may be required by the county board or the state superintendent. Upon the receipt of such report, if it shall appear that the school has been maintained in a satisfactory manner for a period of not less than eight months, during the year closing on the thirtieth day of the preceding June, the said superintendent shall make a certificate to that effect and file it with the secretary of state. Upon receiving such certificate, the secretary of state shall draw his warrant, payable to the treasurer of the county maintaining such school, for a sum equal to one-half the amount actually expended for instruction in such school during the year; when more than one county has contributed to the support of the school, the secretary of state shall draw his warrant payable to the treasurer of each county for such a portion of the state aid as the amount contributed by his county is part of the total amount contributed by all the counties for the support of the school for the preceding year; provided, that the total amount so apportioned shall not exceed five thousand dollars in any year, and if such sum shall be less than half the aggregate amount expended for instruction in both schools, it shall be divided equally between them. The secretary of state shall annually include and apportion in the state tax such sum as shall have been so paid.

Appropriation for state aid. SECTION 11. There is hereby appropriated out of any money in the state treasury not otherwise appropriated, a sum sufficient to carry into effect the provisions of this act.

SECTION 12. This act shall take effect and be in force, from and after its passage and publication.

Approved May 4th, 1901.

No. 120, S.] [Published May 7, 1901.

CHAPTER 289.

AN ACT to authorize the state board of control with the approval of the governor, to purchase lands at the Wisconsin reformatory.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Maximum price to be paid for land. SECTION 1. The state board of control, with the approval of the governor, is hereby authorized to purchase not to exceed one hundred and fifty (150) acres of land contiguous to the lands appurtenant to the Wisconsin state reformatory, and for the use thereof, at a price not to exceed one hundred and fifty (150) dollars per acre.

Appropriation. SECTION 2. There is hereby appropriated out of the general fund in the state treasury, not otherwise appropriated, a sum of money sufficient to paid for said land.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved May 4, 1901.

No. 247, S.] [Published May 7, 1901.

CHAPTER 290.

AN ACT to amend section 461, paragraph eight, of the statutes of 1898, relating to the examination of teachers by county superintendents.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Division of examination districts; examinations, how often held; notice of. SECTION 1. Section 461, paragraph eight, of the statutes of 1898, is hereby amended so as to read as follows:

8. To divide his district into examination districts bounded by town lines and containing not more than four towns each when the number of schools in his district, including graded schools, shall exceed one hundred and fifty; but to form not less than four examination districts if the number of schools is less than one hundred and fifty; not less than three if the number is less than one hundred; to hold in each examination district in each year, at least one meeting for the examination of teachers, and at least three others at intervals of three months, at the county seat or some convenient and central place in the county, two of which shall be in first and second grade branches; provided, the county superintendent, by and with the advice and consent of the state superintendent, may modify the number and boundaries of the examination districts, the number of examinations in first and second grade branches, and may fix the times and places for holding the examinations for second and first grade certificates; to furnish each district clerk in the same a written notice of each meeting, to be posted by him in some conspicuous place in the district. Such notice shall contain the names of the towns embraced in the examination district to which it relates, and the time, place and objects of the meeting. The examination of the teachers shall be uniform in the superintendent district, shall be public and shall be conducted by oral and written questions and answers. Whenever for any cause satisfactory to the county superintendent any person desiring a certificate as a teacher shall be unable to attend upon such examinations he may be examined at any time fixed by him, and if found qualified by law to teach may receive a certificate of the proper grade, which shall remain in force until the next regular examination in such inspection district.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 4, 1901.

No. 305, S.] [Published May 7, 1901.

CHAPTER 291.

AN ACT to appropriate a certain sum of money to pay the salary of George R. Whitman, as agent of the state board of immigration, due at the time of his death.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Appropriation. SECTION 1. There is hereby appropriated out of any money in the general fund in the state treasury, not otherwise appropriated, the sum of seventy-nine dollars to pay the personal representative of George R. Whitman, deceased, such salary as may have been due him as agent of the state board of immigration at the time of his death.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 4, 1901.

No. 41, A.] [Published May 7, 1901.

CHAPTER 292.

AN ACT to authorize Angus J. McGilvray, his heirs, associates and assigns to build and maintain a dam across the Flambeau river in Chippewa county, Wisconsin.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Location of dam; log slides; heighth of. SECTION 1. Angus J. McGilvray of Chippewa Falls, Wisconsin, his heirs, associates and assigns, are hereby authorized to build and maintain a dam across the Flambeau river in Chippewa county, state of Wisconsin, at any point he or they may select, on section thirty-five in township thirty-six north, of range five west, and to use the water of said river for the purpose of operating any and all

kinds of machinery he or they may hereafter see fit to erect, and to sell or lease the right to use said water and the water power created by said dam, to any person or persons, whomsoever, provided that said dam shall be so constructed and maintained as not to obstruct or impede the running of logs or timber down said river and that a suitable log slide sufficient in width shall be maintained at the expense of the owner or owners of said dam, together with such piers and guide booms as may be necessary so as to pass all logs and timber down and over said log slide without delay, hindrance or waste. Said dam shall not be built to a height that will cause back flowage or a raise in the natural flow of water to extend over a mile above said dam.

Operations to be commenced in two years. SECTION 2. The provisions of section 1 of this act shall cease and be void unless operation shall have been commenced two years from its passage and publication.

Right to amend or repeal. SECTION 3. The right of the legislature to repeal or amend or extend this act is hereby reserved.

SECTION 4. This act shall take effect and be in force, from and after its passage and publication.

Approved May 4, 1901.

No. 311, A.] [Published May 7, 1901.

CHAPTER 293.

AN ACT to amend 1517 of the statutes of 1898, relating to the support of the poor by counties.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Powers of county board in support of poor. SECTION 1. Section 1517 of the statutes of 1898 is hereby amended by adding after the word "therein," which is the last word of said section, the following: and may also, by resolution adopted at its annual or special meeting, relieve and take care of at the expense of the county, all permanent poor persons who may be a charge upon any town in such county, and commit to the county poor

house of such county, pursuant to section 1513, so that said section 1517 when amended shall read as follows: Section 1517. The county board shall have the care of all poor persons in their county who have no legal settlement in the town, city or village where they may be, except as provided in section 1512, and shall see that they are properly relieved and taken care of at the expense of the county; they may make such rules and regulations, not inconsistent with law, in relation to the support and maintenance of such persons and may also contract with the board of any town in their county to keep and maintain at the place where the poor supported by the county are kept, such poor person as may be a charge upon such town at a stipulated price, the amount of which shall be levied and collected in such town in the manner county taxes are levied and collected therein, and may also by resolution adopted at its annual or special meeting, relieve and take care of, at the expense of the county, all permanent poor persons who may be a charge upon any town in such county and commit to the poorhouse of such county, pursuant to section 1513.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 4, 1901.

No. 219, A.] [Published May 7, 1901.

CHAPTER 294.

AN ACT to amend chapter 134 of the laws of Wisconsin for the year 1895, entitled "An act to authorize L. B. Ring, his heirs or assigns, to build and maintain a dam, in and across Black river, in Clark county."

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Location of dam; fishways. SECTION 1. Chapter 134 of the laws of Wisconsin for the year 1895, is hereby amended by striking out the word "ten" where it occurs in the fourth line of section 1, of said act and inserting in place thereof the word "twenty," so that said section when so amended shall read as follows: Section 1. L. B. Ring, his heirs or his assigns are

hereby authorized to construct, maintain and keep a dam in and across Black river in Clark county, not exceeding twenty feet in height, at any point between the quarter line running east and west through said section twenty-two, in township twenty-four north, range two west, and the quarter line running east and west through said section twenty-six in said town; said dam to be constructed and maintained for power, manufacturing and boomage purposes, and provided with suitable slides or chutes and fishways, so as to allow the free passage of fish and saw logs through the same.

Piers and booms; no charge for toll. SECTION 2. In connection with said dam, said L. B. Ring, his heirs or assigns are further authorized and empowered to build and maintain suitable piers and booms in and along said river, not more than five thousand feet therefrom, provided that no charge for tolls on logs passing through said booms or over said dam shall be charged or collected; and provided further that such piers and booms shall be so constructed, operated and managed, as not to materially obstruct or retard the free passage of logs down said Black river.

Right to alter or repeal, reserved. SECTION 3. The right to alter, amend or repeal this act is hereby reserved.

SECTION 4. This act shall take effect and be in force, from and after its passage and publication.

Approved May 4, 1901.

No. 350, A.] [Published May 7, 1901.

CHAPTER 295.*

AN ACT to detach certain territory from the towns of Big Bend and Strickland, in Chippewa county, and to create the town of Atlanta, to provide for town meetings therein and for a final settlement between said towns.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Territory of Atlanta defined. SECTION 1. All that portion of the present town of Big Bend and all that portion of the present

*See chapter 456.

town of Strickland in Chippewa county, in the state of Wisconsin, described as follows to-wit: All that part or portion of the townships number thirty-five and thirty-six north, of range seven west, and lying west of the Chippewa river, and all of townships number thirty-five and thirty-six north, of range number eight west, and now forming a part of the town of Big Bend, and all of township number thirty-six north, of range number nine west, now forming a part of the town of Strickland, are hereby set off and detached from the said towns of Big Bend and Strickland and duly created and organized as a separate town, to be known and designated as the town of Atlanta in said county of Chippewa.

Creation and rights of town. SECTION 2. The said town of Atlanta is hereby created and organized with all the rights, powers and privileges conferred upon and granted to other towns in the state of Wisconsin and shall be subject to all the general laws enacted for town government therein.

Apportionment of assets and liabilities. SECTION 3. The assets and liabilities of the said towns of Big Bend and Strickland shall be apportioned to the said town of Atlanta pro rata in proportion as the valuation of all the taxable property detached from each of said towns bears to the whole of the assessed valuation of said towns according to the assessment roll for the year A. D. 1900.

First town meeting, when and where held. SECTION 4. The first town meeting of said town of Atlanta shall be held on the second Tuesday of May, A. D. 1901, in the dwelling house formerly owned by one James Arrance, on the southeast quarter of the northwest quarter of section number thirty-one in township number thirty-five north, of range number seven west of the fourth principal meridian in the state of Wisconsin.

Town officers, election of; election officers; how chosen. SECTION 5. The qualified electors of said town of Atlanta shall, at such town meeting, held as provided for in section number 4 of this act, in the manner provided by law, elect town officers for the said town and for the purpose of such election the qualified electors of said town of Atlanta shall, between the hours of nine and eleven o'clock in the forenoon of said day, choose three of their number to act as inspectors of said election, and such inspectors shall, before entering upon their respective duties, severally take the usual oath of office and file the same with their returns; and such inspectors shall respectively canvass and return the votes cast at such election in all respects as provided by

law for inpectors at annual town meetings. A clerk, or the necessary clerks of said election shall be appointed by said inspectors, or a majority thereof, to assist said inspectors in conducting said town meeting and in canvassing and returning the votes cast at such election.

When town deemed organized. SECTION 6. When said town meeting shall have been held as herein provided and the town officers required by law duly elected, the said town of Atlanta shall be deemed and shall be duly organized and shall possess all the rights, powers, privileges and authority, and shall be subject to all the liabilities of other towns in the state of Wisconsin. After said first town meeting, all annual town meetings shall be held on the day provided by law for the holding of town meetings in other towns of the state of Wisconsin.

Notice of first town meeting, how given. SECTION 7. Notice of said first town meeting shall be given by the posting of a copy of this act in at least six public places in said town of Atlanta, at least ten days prior to the time of holding said first town meeting, by any duly qualified elector of said town, who shall make a proper affidavit of such posting and file the same on the day of said first town meeting, with the inspectors elected to conduct said first town meeting.

Settlement between towns involved, when and how made. SECTION 8. The supervisors of the town of Big Bend and the supervisors of the new town of Atlanta shall, on the twenty-first day of May, A. D. 1901, meet at the office of the town clerk of the town of Big Bend, for the purpose of making a settlement between said two towns according to the provisions of this act, and the supervisors of the town of Strickland and the supervisors of the new town of Atlanta shall on the twenty-eighth day of May, A. D. 1901 meet at the office of the town clerk of the town of Strickland for the purpose of making a settlement between said two towns according to the provisions of this act, and at either and all of said meetings any three of the supervisors shall have full power and authority to send for persons, books, papers and records of any other town necessarily involved in such settlement; and the clerk of the town from which any territory is detached by the terms of this act, shall be the clerk of such meeting and the town clerk of the new town of Atlanta shall assist, and sufficient duplicates of all proceedings had, shall be made, in order that each town shall have one for the use and information of the town clerk thereof. Each town shall be chargeable with the expense and for the services and per diem of its own officers only.

SECTION 9. This act shall take effect and be in force, from and after its passage and publication.

Approved May 4, 1901.

No. 562, A.] [Published May 7, 1901.

CHAPTER 296.

AN ACT to amend section 2877 of the statutes of 1898, relative to the settlement of bills of exceptions after the death, incapacity or removal of the judge.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Settlement before expiration of period limited by statute; settlement after expiration; on prejudice of judge. SECTION 1. Section 2877 of the statutes of 1898, is hereby amended so as to read as follows: Section 2877. Whenever the judge before whom the issues in an action or special proceeding shall have been tried, shall die, remove from the state or for any cause become incapacitated to act, after judgment in such action or special proceeding, and before the expiration of the period limited by statute, rule, stipulation or order for serving a bill of exceptions, the same may be settled and made a part of the record by stipulation of the parties, with the same effect as if duly settled and signed. If the parties cannot agree on such bill of exceptions, then the judge of said court where the action was tried, shall settle such bill of exceptions, and may, if he deem it necessary, take testimony and determine any disputed question of fact which may arise between the parties relative to the proceedings had on the trial in which such bill is to be settled. In case of the death, removal from the state or incapacity of such judge, after the time limited by statute, rule, stipulation or order for serving a bill of exceptions shall have expired, the judge of said court where said action was tried may in his discretion upon notice, and on such terms as shall be just, extend the time for settling the bill of exceptions in the same manner as the judge before whom said action was tried might have done. If the judge of said court where the action was tried shall have been on account of prejudice or other cause, disqualified from

trying the action when the same was tried, then such judge shall not settle the bill of exceptions therein but the party proposing such bill of exceptions may designate a judge of an adjoining circuit who shall settle the same in the manner prescribed herein where the same is settled by the judge of the court where the action was tried, or such judge where the action was tried may in his discretion, upon application of the party proposing the bill of exceptions, grant a new trial in said action, provided application for a new trial be made at the first term of the court in the county where the action was tried, succeeding the death, removal from the state or incapacity of such judge, accompanied by the affidavit of said party, his agent or attorney, that said application is made in good faith and not for the purpose of delay, upon condition that the party applying for a new trial pay the cost taxed in the judgment in said action.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 4, 1901.

No. 248, S.] [Published May 7, 1901.

CHAPTER 297.

AN ACT to provide for a state board of commissioners for the St. Louis World's Fair, at St. Louis, Missouri, and to make an appropriation therefor.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Commission, number of members. SECTION 1. A commission is hereby constituted to be known as the state board of managers of the St. Louis World's Fair, to be held in St. Louis, Missouri, in 1903, to consist of five persons, residents of Wisconsin.

Governor to appoint; organization of; removal of member. SECTION 2. The members of such board shall be appointed by the governor, within thirty days after the passage and publication of this act. Said board shall hold its first meeting at such time and place as the governor shall appoint, shall organize by the election of a president, vice-president, secretary and treasurer and by the adoption of such by-laws and regulations as may be

deemed necessary. Any member of the board may at any time be removed by the governor for cause, and any vacancy which may occur therein shall be filled by appointment of the governor. Three members of the board shall constitute a quorum for the transaction of business.

Members to receive compensation for expenses only. SECTION 3. The members of said board shall receive no compensation for their services, but their actual expenses for transportation and subsistence when they are necessarily absent from their homes, shall be paid from the moneys appropriated by this act.

Bond of treasurer. SECTION 4. The treasurer of the board shall, before he shall be entitled to receive the moneys hereby appropriated, execute and deliver to the governor a bond in the sum of double the amount of the appropriation, with at least two sureties who shall justify their responsibility, which bond shall be approved by the governor, and conditioned for the faithful performance of the duties of said treasurer, and the faithful accounting to the state of Wisconsin for all moneys which shall come into his hands.

Disbursement of moneys, how made. SECTION 5. No money shall be disbursed by the treasurer, except upon the order of the president of the board, countersigned by the secretary, accompanied by an itemized statement showing upon what account and for what purpose the same is paid. All accounts for traveling expenses and subsistence shall have attached thereto the affidavit of the person claiming the same that such traveling expenses have been actually incurred on account of the business of said board, and that no claim therefor has been theretofore made.

Reports and final accounting. SECTION 6. The treasurer of the board shall from time to time, whenever called upon by the president of the board, make full report to said board, and the said board shall make a full report of all its proceedings, receipts and expenditures from time to time to the governor at any time upon his written request. Within six months after the close of said World's Fair, the board shall sell and dispose of all structures, buildings and other property, and file with the said secretary of state a full and complete report and account of all its proceedings, receipts and expenditures, together with all vouchers therefor. The treasurer of the board shall pay over to the secretary of state, all moneys which shall remain in his hands. The secretary of state shall audit his accounts, and if found correct shall endorse his approval thereon, and shall re-

ceive such moneys as shall be paid by the said treasurer and turn the same into the state treasury.

Duties of commission. SECTION 7. The duties of said board shall be to provide suitable building or buildings, to be erected upon such space as may be allotted to the state of Wisconsin for its use upon the ground of said St. Louis World's Fair, and to the performance of such details relating to the representation of citizens of the state of Wisconsin in the said St. Louis World's Fair as may be from time to time necessary, and said board shall have charge and control of all buildings and other property of the state when erected, purchased or otherwise acquired or placed in its custody. The said secretary of the board shall be custodian of the building or buildings when erected or otherwise acquired, and shall receive such compensation for his services as the said board may determine. The said board may employ such other help as may be necessary to maintain and care for such building or buildings.

Appropriation; how secured. SECTION 8. There is hereby appropriated out of any money in the state treasury, not otherwise appropriated, the sum of twenty-five thousand dollars, or so much thereof as may be necessary to carry out the provisions of this act. The said board shall cause from time to time, estimates to be made of the expenses to the payment of which the money is to be applied, which estimate shall be signed by the president, by the secretary of the board, and be filed by the governor, and if the governor shall approve thereof, shall endorse his approval thereupon and file the same with the secretary of state, and thereupon the secretary of state shall audit the same and draw his warrant upon the treasury of the state for the payment of the same, and such estimates shall not exceed in all the sum hereby appropriated to the treasurer of said board for the purpose of carrying out the provisions of this act.

Personal liability of commission; liability of state. SECTION 9. No member of said board, whether an officer or otherwise shall be personally liable for any debt or obligation which may be created or incurred by said board, and nothing in this act shall be so construed as to create any liability of the state, direct or indirect, for any obligation incurred, nor for any claim for aid or for pecuniary assistance from this state, in support or liquidation of any debts or obligations created by said board in excess of the appropriation made by this act.

SECTION 10. This act shall take effect and be in force from and after its passage and publication.

Approved May 4, 1901.

[Published May 8, 1901.

CHAPTER 300.

l' to provide for search and seizure of fish and game :, taken or killed or had in possession contrary to law.

ople of the state of Wisconsin represented in senate and mbly do enact as follows:

roceedings for warrant to search and seize; duty of officer serv-

SECTION 1. Upon complaint made to any magistrate au-rized to issue warrants in criminal cases, by any person that knows or has good reason to believe that any fish, venison, owl or game caught, taken or killed or had in possession contrary to the provisions of law relative to fish and game is concealed in any particular house or place, he shall examine such complainant on oath, reduce his complaint to writing describing as particularly as may be the place where said fish, venison, fowl or game is alleged to be concealed and cause the same to be subscribed by the person complaining. If it appears to such magistrate that there is proper cause to believe that such fish, venison, fowl or game so caught, taken or killed or had in possession contrary to law, is concealed in such house or place he shall immediately issue his warrant reciting therein the substance of the complaint and containing a description of the premises described therein and requiring the officer to whom it shall be directed forthwith to search such premises and seize any such fish, venison, fowl or game described in the complaint and to bring the same, when found, and the person in whose possession the same shall be found, before the magistrate who issued the warrant or before some other magistrate or court having cognizance of the case. The officer executing such warrant shall state in his return as particularly as may be the property seized, which shall be safely kept by the direction of the court or magistrate so long as shall be necessary for the purpose of being used as evidence on any trial and as soon as may be afterward all such fish, venison, fowl or game so caught, taken or killed or had in possession contrary to the provisions of law relative to fish and game, shall under the direction of the court or magistrate, be sold and disposed of as contraband in accordance with the provisions of section 1498k of the statutes of 1898.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 6, 1901.

No. 401, S.] [Published May 7, 1901.

CHAPTER 299.

AN ACT to amend section 2424 of the statutes of 1898, as amended by chapter 110, laws of 1901, relating to the terms of court in fifteenth judicial circuit.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Date of terms; no jury when. SECTION 1. Section 2424 of the statutes of 1898, as amended by chapter 110 of the laws of 1901, is hereby amended so as to read as follows: Fifteenth circuit. In the county of Ashland on the third Monday in April and the third Monday in September; in the county of Bayfield on the first Monday in June and the third Monday in October; in the county of Iron on the third Monday in May and the fourth Monday in November; in the county of Price on the third Monday in June and the second Monday in December; in the county of Sawyer on the first Wednesday after the fourth Monday in May, and the second Monday in November; in the county of Taylor on the first Wednesday after the fourth Monday in June; and the fourth Monday in December. No jury shall be summoned for any such term if the presiding judge of the circuit shall file an order with the clerk of the court for any county therein, at least fifteen days before any general term in such county, directing that no jury shall be summoned; such order may be made whenever it shall appear that there is no necessity for a jury. Said judge may adjourn any general or extra term of such court to the next ensuing general term, or beyond the time fixed for holding general terms thereof in any county in the circuit.

Conflicting laws repealed. SECTION 2. All acts and parts of acts conflicting with this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after July 1st, 1901.

Approved May 6, 1901.

No. 634, A.] [Published May 8, 1901.

CHAPTER 300.

AN ACT to provide for search and seizure of fish and game caught, taken or killed or had in possession contrary to law.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Proceedings for warrant to search and seize; duty of officer serving. SECTION 1. Upon complaint made to any magistrate authorized to issue warrants in criminal cases, by any person that he knows or has good reason to believe that any fish, venison, fowl or game caught, taken or killed or had in possession contrary to the provisions of law relative to fish and game is concealed in any particular house or place, he shall examine such complainant on oath, reduce his complaint to writing describing as particularly as may be the place where said fish, venison, fowl or game is alleged to be concealed and cause the same to be subscribed by the person complaining. If it appears to such magistrate that there is proper cause to believe that such fish, venison, fowl or game so caught, taken or killed or had in possession contrary to law, is concealed in such house or place he shall immediately issue his warrant reciting therein the substance of the complaint and containing a description of the premises described therein and requiring the officer to whom it shall be directed forthwith to search such premises and seize any such fish, venison, fowl or game described in the complaint and to bring the same, when found, and the person in whose possession the same shall be found, before the magistrate who issued the warrant or before some other magistrate or court having cognizance of the case. The officer executing such warrant shall state in his return as particularly as may be the property seized, which shall be safely kept by the direction of the court or magistrate so long as shall be necessary for the purpose of being used as evidence on any trial and as soon as may be afterward all such fish, venison, fowl or game so caught, taken or killed or had in possession contrary to the provisions of law relative to fish and game, shall under the direction of the court or magistrate, be sold and disposed of as contraband in accordance with the provisions of section 1498k of the statutes of 1898.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 6, 1901.

No. 625, A.] [Published May 8, 1901.

CHAPTER 301.

AN ACT to authorize cities of the first class to employ a veterinary surgeon.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Employment of veterinary surgeon authorized. SECTION 1. Any city of the first class shall be authorized, and is hereby authorized, to employ a veterinary surgeon in its fire department who may be required to render service in respect to all horses used by the city.

City veterinarian, how appointed. SECTION 2. On or before the first Monday in June 1901, the chief engineer of the fire department may nominate, and with the approval of the board of fire and police commissioners, he may appoint a qualified and suitable person to be veterinary surgeon of the fire department, who shall take the official oath required of officers of the city and shall hold his position at the pleasure of the chief. In case of a vacancy in the office at any time, it shall be filled by appointment in the same way.

Salary of, how fixed. SECTION 3. The veterinary surgeon so appointed and his successors in office shall be subject to all the rules of the department which are applicable to such an officer and shall also be subject always to the special control and direction of the chief. The salary of the veterinary surgeon shall be fixed by the common council and shall be paid in monthly installments at the same time and in the same manner as other salaries in the fire department are paid.

Duties of; to make report. SECTION 4. The veterinary surgeon shall render such services and perform such duties as shall be required by the rules of the fire department, and also such as may be required by the chief at any time. Especially the veterinary surgeon will be required to make careful examination of horses offered for purchase by the city for use of the fire department when required by the chief or by any officer of the city or any board having authority to purchase such horses, and no horses shall be purchased for such use without a certificate by the veterinary surgeon that in his opinion, the horse is fit for the service intended and no bill or resolution for the payment for

any horse purchased for such use shall be countersigned by the comptroller unless it is accompanied by such a certificate of the veterinary surgeon. It shall be the duty of the veterinary surgeon, at least once in each month, to visit the quarters of each company belonging to the fire department and to inspect carefully and thoroughly the stables and horses and the forage and feed provided and to make prompt report in writing to the chief of any deficiency found or anything needing correction or improvement either in the horses or the stables or the forage or feed provided. It shall be the duty of the veterinary surgeon to make a prompt written report to the chief immediately upon discovering that any horse in use in the department is not fit for further service therein and upon the approval by the chief of any such report, the horse or horses named therein may be sold or otherwise disposed of by the proper officer or officers of the city.

Duties outside of fire department. SECTION 5. The veterinary surgeon of the fire department may also be required by the chief to inspect and make written report as to horses owned by the city or offered for purchase by the city for use elsewhere than in the fire department and also to render medical or other service in relation to horses owned or in use by the city elsewhere than in the fire department; and it is hereby made the duty of the chief of the fire department to communicate the opinion or certificate of such surgeon, as to any horses inspected by him, to the officer or board having charge of or authorized to purchase such horses, and no horse shall be purchased for the city without the certificate of such surgeon, that in his opinion the horse is fit for the service intended. No compensation beyond the salary fixed by this act shall be allowed or paid to such surgeon for any services which he shall perform under this act.

SECTION 6. This act shall take effect and be in force, from and after its passage and publication.

Approved May 6, 1901.

No. 532, A.] [Published May 8, 1901.

CHAPTER 302.

AN ACT relating to unincorporated villages, and amending sections 819, 1045, and 1078 of the statutes of 1898.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Powers of town board; as to unincorporated villages. SECTION 1. Section 819 of the statutes of 1898 is hereby amended so as to read, when amended, as follows: Section 819. The supervisors of each town shall constitute a board, to be designated the "town board of ————————;" and any two shall constitute a quorum except when otherwise provided. They shall have charge of all the affairs of the town not by law committed to other officers; they shall draw orders on the treasurer for the disbursement of money to pay the town expenses and for all other purposes except for the support of schools; they shall have charge of all actions in which the town is a party; see that all penalties and forfeitures for the benefit of the town, all breaches of official bonds to the damage of the town and all injuries to the town are prosecuted for, and the damages and penalties and forfeitures collected and paid to the treasurer. If the town contains an unincorporated village they may appoint, upon petition of ten resident free-holders, one or more fire wardens for such village, who shall possess the powers and perform the duties prescribed by these statutes to fire wardens in incorporated villages; and if the town contains such a village of not less than three hundred inhabitants, within an area of one-half square mile, upon petition of a majority of the freeholders, resident in such area, the town board shall designate the limits of such unincorporated village and record the same in the office of the town clerk, and if the public good requires it, may appoint not exceeding three policemen, one superintendent of police, and one night watchman, prescribe their duties and make by-laws for their government, and for the purpose of restraining drunkenness, disorderly conduct and the careless use of fire arms, such board may adopt such by-laws as they may deem expedient, and fix a penalty not exceeding ten dollars for each violation thereof. Such by-laws shall be published in the manner prescribed for the publication of by-laws adopted by town meetings and shall have the same effect as such by-laws. Said policemen, superintendent and watch-

man shall have the same power as constables. Whenever the limits of a village have been designated as herein provided, the town board shall have and exercise the powers within the limits of such village, granted to village boards by sections 905 to 909, both inclusive, and the corresponding town officers shall have and exercise the powers and duties by said sections conferred upon the village officers therein mentioned. The town board shall also, upon a petition of a majority of the freeholders, residents of such unincorporated village, erect lamp posts and lamps and provide for the lighting of the streets thereof by gas or otherwise. The cost of such lighting shall be ratably assessed by the town board upon the taxable property of such designated village and the town clerk shall enter the same when assessed, upon the tax roll of the town against such property. The board of any town in which the town clerk has on file in his office chattel mortgages to secure the payment of not less than one thousand dollars during any year, may secure a fire-proof safe for the use of such clerk and pay therefor out of the general fund. The chairman of every town board may administer oaths or affidavits in all matters or proceedings coming before such board.

Duties of assessors; as to unincorporated villages. SECTION 2. Section 1045 of the statutes of 1898 is hereby amended so as to read when so amended, as follows: Section 1045. The assessor shall enter upon the assessment roll opposite to the name of the person to whom assessed, if any, as before provided in regular order as to lots and blocks, sections and parts of sections except that so much as is within the limits of an incorporated village or unincorporated village the limits of which have been designated by the town board, shall be assessed in one part of the roll from the best information he can obtain, a correct and pertinent description of each parcel of real property in the assessment district not exempt from taxation and the number of acres in each tract containing more than one acre. When two or more lots or tracts owned by the same person are deemed by the assessor so improved or occupied with buildings as to be practically of separate valuation, they may be entered as one parcel. Whenever any tract, parcel or lot of land shall have been surveyed and platted and a plat thereof recorded according to law, the assessor shall designate the several lots and subdivisions of such platted ground as they are fixed and designated by such plat.

Tax roll, how made; as to villages. SECTION 3. Section 1078 of the statutes of 1898 is hereby amended so as to read, when so amended, as follows: Section 1078. From the assessment roll when so corrected, the town clerk (and the clerk of each cit-

or such village as aforesaid, where a different course is not directed by its charter) shall make out in a book to be called a tax roll, a complete list of all the taxable real property therein arranged, except as herein directed in regular order as to lots and blocks and sections and parts of sections, by the proper corrected descriptions and having entered opposite in separate columns the name of the person to whom assessed before, and the valuation thereof, ascertained as aforesaid, after such description, and also a complete alphabetical list of all persons in his town having any taxable personal property, with the aggregate valuation of such property ascertained as aforesaid, and the number of the school district in which it is subject to taxation set opposite in separate columns. Whenever the property situate in an incorporated village or unincorporated village, the limits of which have been designated by the town board is embraced in a town tax roll the list of the real property and of persons taxable for personal property as aforesaid shall be entered in a continuous part of the roll and the valuations be separately footed. Public lands sold and not patented and lands mortgaged to the state shall be separately entered under a proper heading.

SECTION 4. This act shall take effect and be in force, from and after its passage and publication.

Approved May 6, 1901.

No. 524, A.] [Published May 8, 1901.

CHAPTER 303.

AN ACT to re-imburse Joseph M. Hanton for moneys expended in caring for Willie Garling, a ward of the state board of control.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Appropriation. SECTION 1. There is hereby appropriated to Joseph M. Hanton out of any money in the state treasury, not otherwise appropriated, for expenses incurred in caring for Willie Garling, a ward of the state board of control, the sum of four hundred and twenty dollars.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 6, 1901.

No. 325, A.] [Published May 8, 1901.

CHAPTER 304.

AN ACT to amend section 422 of the statutes of 1898, defining joint school districts and relating to the dissolving and alteration of the boundaries thereof.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Joint districts, what are; boundaries how changed; duty of boards. SECTION 1. Section 422 of the statutes of 1898 is hereby amended so as to read, when amended, as follows: Section 422. Whenever any school district in this state shall be comprised partly of the territory of any city or an incorporated village and partly of the territory of an adjoining town or towns, it shall be and for all intents and purposes shall be considered as a joint school district which may be dissolved or the boundaries of which may be changed only by the joint action of the city or common council of the city or the trustees of the village as the case may be and the board or boards of supervisors of the town or towns in which any part or parts of said joint school district may be situated and only in the same manner in which any other joint district may be altered or dissolved, but no new joint district embracing a part of any city shall be hereafter formed.

Conflicting laws repealed. SECTION 2. Any and all laws, statutes or acts conflicting in any manner with the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 6, 1901.

No. 255, A.] [Published May 8, 1901.

CHAPTER 305.

AN ACT to provide for an interstate park of the dalles of the St. Croix and appropriating money therefor.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Governor to continue work; property to be acquired. SECTION 1. The governor of the state of Wisconsin is hereby authorized and empowered to continue the work of acquiring title to the lands described in section 1 of chapter 102 of the laws of 1899 for the purposes specified in said chapter. Extension of Washington street in Hungerford's addition to St. Croix Falls, southerly across northeast quarter of northwest quarter of section thirty-one, in township thirty-four north, range eighteen west to connect with park lands in said subdivision. Part of the southeast quarter of the northwest quarter of said section thirty-one, containing thirty-three acres, more or less. Part of the northeast quarter of the southwest quarter of said section thirty-one, containing five acres, more or less. Part of the northwest quarter of the southwest quarter of said section thirty-one, containing thirty-four acres, more or less. Part of the southwest quarter of the southwest quarter of said section thirty-one, containing fifteen acres, more or less. Above described lands being those shown and designated on a plan filed in the office of the commission of the interstate park of the dalles of the St. Croix, prepared by Frank H. Nutter, landscape architect, and entitled, "Plat of lands proposed to be taken by the state of Wisconsin for an interstate park at the dalles of the St. Croix."

Governor to appoint commission. SECTION 2. In order to carry on said work, the governor shall, within sixty days after the passage and publication of this act, appoint a commission consisting of three persons which shall be known as "the commission of the interstate park of the dalles of the St. Croix."

Commissioners to take oath; where filed. SECTION 3. The commissioners so appointed shall, within ten days after their appointment, take and subscribe the constitutional oath of office and file the same with the secretary of state, and each commissioner so appointed shall hold his office for the term of two years, and until the appointment and qualification of his successor.

Organization. SECTION 4. Said commission shall organize by the election of one of the commissioners as chairman, and one as secretary.

Powers of commission. SECTION 5. Said commission shall continue the work of acquiring title to the lands referred to in section 1 of this act and they shall have charge of any proceedings instituted in the circuit court of Polk county for the purpose of acquiring such title. And said commission shall have power to institute condemnation proceedings in the manner provided in sections 605, 606, and 607 of the statutes of 1898, and it shall not be necessary to allege in the petition therefor that the commission has been unable to agree with the owners as to the price to be paid for said lands. The commission may also make contracts for the purchase of any portion of said lands, subject to the approval of the governor, and may receive and accept donations therefor.

Damages, how paid; duty of secretary as to expenses. SECTION 6. When any award of damage has been made in any condemnation proceedings heretofore or hereafter instituted for the purpose of acquiring title to any portion of said lands, the secretary of the commission, after the expiration of the time to appeal from said award, shall make and certify to the secretary of state the amount of award to each owner of land, and the secretary of state shall thereupon draw a warrant upon the state treasurer for the amount of such award in favor of the person to whom such award is made. The secretary shall also certify the amount of expenses incurred in such condemnation proceedings, stating therein the nature and kind of such expenses, and the secretary of state shall thereupon draw warrant upon the treasurer in favor of the secretary of said commission for the amount of such expenses, and the secretary of said commission shall thereupon pay the same to the person entitled thereto.

Governor to approve contracts. SECTION 7. All contracts for the purchase of real estate for the purposes of said park, shall be submitted to the governor and upon being approved by him the amount specified therein to be paid shall forthwith be paid to the person entitled thereto out of the state treasury.

Compensation of commissioners. SECTION 8. Each commissioner appointed under the provisions of this act shall receive his actual expenses and five dollars per day for the time actually served upon said commission, and for a period not exceeding twenty days in any one year.

Appropriation. SECTION 9. For the purpose of carrying out the provisions of this act, there is hereby appropriated from the money in the state treasury not otherwise appropriated, the sum of seven thousand five hundred dollars.

SECTION 10. This act shall take effect and be in force, from and after its passage and publication.

Approved May 6, 1901.

No. 191, A.] [Published May 8, 1901.

CHAPTER 306.

AN ACT to amend sections 1435b and 1435c of the statutes of 1898, relating to the practice of medicine and surgery in the state of Wisconsin, and the compensation of members of the state board of medical examiners.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Admission of persons to practice; examinations; of osteopaths; one to be a member of state board; issue of licenses. SECTION 1. Section 1435b of the statutes of 1898 is hereby amended so as to read as follows: Section 1435b. All persons commencing the practice of medicine or surgery in any of their branches, shall apply to said board at the time and place designated by the board or at any regular meeting for license so to do, and shall submit to an examination in the various branches of medicine and surgery and present to said board a diploma from a reputable medical college that requires at least four courses of not less than six months each before graduation; no two of said courses to be taken within any one twelve months, and that shall after the year 1901 require for admission thereto an elementary education equivalent to that necessary for entry to the junior class of an accredited high school of this state, including one year's course in Latin, and for graduation from said medical college at least four courses of not less than seven months each; no two of said courses to be taken within any one twelve months, provided however, that any student who is now matriculated in any medical college of this state which requires four courses of six months each as a prerequisite of graduation, no two courses

to be taken within one twelve month, shall on presentation of his diploma from such medical college and on payment of the fees specified in this act, be admitted to practice without further examination by such state board of medical examiners. The examination in materia medica, theraputics, and practice of medicine shall be conducted by members of said board representing the school of medicine which the applicant claims to follow. The proceedings of the board shall at all reasonable times be open to public inspection. After an examination, and upon presentation of a satisfactory diploma as hereinbefore provided, the said board shall, if it find the applicant qualified, grant a license to said applicant to practice medicine and surgery in this state, which license can only be granted by the consent of not less than five members, and which shall be signed by the president and secretary and attested by the seal of the board. There shall be added to said board, an eighth member to be appointed by the governor, within ninety days from the passage of this act, from a list of five names to be furnished him by the Wisconsin State Osteopathic Association, who shall be an osteopathic physician heretofore licensed in accordance with the provisions of this section, and who shall not in any way be connected with any osteopathic school. The term of office of such eighth member of said board shall be governed by the provisions of section 1435, and his successor shall be appointed in accordance with the provisions of this section. Said board shall grant license to practice osteopathy to all applicants of good moral character who pass the regular examination of such board in anatomy, histology, physiology, obstetrics, gynecology, pathology, urinalisis, toxocology, hygiene and dietetics, diagnosis, theory and practice of osteopathy, and present to said board a diploma from a regularly conducted college of osteopathy maintaining the standard of the associated colleges of osteopathy in its requirements for matriculation and graduation and requiring personal attendance for at least four terms of five months each. All reputable resident graduates of regular colleges of osteopathy who were practicing in this state prior to March first, 1901 and who shall be recommended to said board by the executive committee of the Wisconsin State Osteopathic Association, shall, upon application, without examination, be granted a license to practice osteopathy, provided application for such license is made within ninety days from the passage of this act. Osteopaths when so licensed shall have the same rights and privileges, and be subject to the same statutes and regulations as other physicians, but shall not have the right to give or prescribe drugs or to perform surgical operations. Provided further that the osteopathic schools to be recog-

nized by the board, shall, after September 1903, maintain the same standard as to elementary education and time of study before graduation, as is required of medical colleges by this act. Graduates of such osteopathic schools shall be entitled to take the full examination of said board which shall, if it find the applicant qualified, grant a license to said applicant to practice medicine and surgery in this state. The fee for such examination shall be fixed by the board, but shall not exceed ten dollars, and five dollars additional for the certificate if issued, such fee shall be paid by the applicant to the treasurer of the board, to be applied toward defraying the expenses of the board. If any person licensed by said board shall be convicted of any crime committed in the course of his professional conduct, the court in which such conviction is had, may in addition to any other punishment imposed pursuant to law, revoke such license. Said board shall have the power to adopt such rules for its government and may require the filling out of such blanks as it may deem necessary to get at the true character and qualifications of applicant for license and may use discretionary power in refusing license to any who cannot furnish proof of good morals and professional character. The person so receiving such license shall record the same with the county clerk in the county of his residence and pay said clerk a fee of one dollar for recording the same, and the said clerk shall enter a memorandum thereof, giving the date of said license, name of the person to whom it was issued, and the date of such recording, in a book to be provided and kept for that purpose. Any person removing to any other county to practice medicine or surgery shall so record said license in the county to which he removes. Any practitioner neglecting to record his or her license or registration certificate as hereinbefore provided by this and the present medical laws, shall not exercise any of the rights or privileges conferred thereby. Any practitioner of medicine holding a certificate from any other state board imposing requirements equal to those established by the board provided for herein, may on presentation of the same with a diploma, be admitted to practice in this state without an examination, at the discretion of the board on the payment of the fee.

Secretary to receive moneys; to give bond; expenses of members; report. SECTION 2. Section 1435c of the statutes of 1898 is hereby amended so as to read as follows: Section 1435c. All money received by the board shall be kept by the secretary thereof, who shall also act as treasurer, out of the funds coming into their possession from the fees mentioned in the preceding section; the board may pay all legitimate and necessary expenses

incurred by them, their agents or employes in the discharge of the duties of the board, and the members may receive for their services a sum to be determind by the board, not exceeding five dollars for each day actually spent in attending to the business of the board; the secretary shall receive a salary to be fixed by said board, not to exceed one thousand dollars per annum. Such salary, compensation and expenses shall be paid from the fees received by the board, and no part thereof shall be paid out of the state treasury. The secretary shall furnish to the board such bond as they may from time to time direct. It shall be the duty of said board to make a report of their proceedings to the governor at the end of each biennial period, together with an account of all moneys received and disbursed by them, and all moneys in excess of actual expense shall be paid into the state treasury.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 6, 1901.

No. 93, A.] [Published May 8, 1901.

CHAPTER 307.

AN ACT to amend section 6 of chapter 311 of the laws of 1899, relating to the protection of fish and game.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Closed season in certain lakes. SECTION 1. Section 6 of chapter 311 laws of 1899, is hereby amended by striking out the words, "in any of the waters of Walworth county excepting Geneva Lake," and inserting the words "in Delavan lake in Walworth county," so that when amended said section 6 will read as follows: Section 6. It shall be unlawful and is prohibited for any person to fish in Pewaukee lake in Waukesha county, in Devils lake in Sauk county or in Delavan lake in Walworth county, between the first day of December and the twenty-fifth day of May next succeeding. Any person who shall violate any of the provisions of this section shall be punished by a fine of not less than ten dollars nor more than twenty-five do'

lars or by imprisonment in the county jail for not more than ten days.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 6, 1901.

No. 138, A.] [Published May 8, 1901.

CHAPTER 308.

AN ACT relating to the use of bicycles on sidepaths, for licensing bicycles, for the appointment of sidepath commissioners, and to provide for the construction and maintenance, regulation, preservation and shading of sidepaths.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Sidepath commissioners, how appointed; vacancies; failure to accept appointment. SECTION 1. The county judge of any county may, upon the petition of fifty residents of such county, appoint from the resident citizens thereof, five or seven persons, the number to be determined by such judge, giving to each city and to one or more towns in such county a representation on the board, as near as possible in proportion to the probable number of cyclists residing in such localities, each of whom shall be a cyclist, who shall constitute a board of sidepath commissioners for such county. The terms of such commissioners, if the number be five, shall be one, two, three, four and five years respectively, and if the number appointed be seven the terms of such commissioners shall be two to serve one year, two to serve two years, and one each to serve three, four and five years from and including the first day of January of the year in which the appointment is made, to be determined by such commissioners by lot, within one month after their appointment. A commissioner thereafter appointed for a full term shall hold office for five years from and including the first day of January of the year in which the appointment is made. A commissioner appointed to fill a vacancy occurring otherwise than by expiration of term, shall be appointed for the unexpired term of his predecessor in office. Whenever a vacancy shall occur in the office of such com-

missioner, by expiration of term or otherwise, the chairman or secretary of the board shall immediately file a notice with the county judge, specifying the name of such commissioner, the city or town, in which he resided, and the term for which his successor shall be appointed. Upon the receipt of such notice the county judge shall thereupon appoint a person to fill such vacancy and file such appointment in the office of the county clerk. The county clerk shall forthwith notify such person of his appointment and he shall take office immediately upon filing his written acceptance thereof with the county clerk and taking the constitutional oath of office. If any person so appointed fails to file such acceptance with the county clerk or take the constitutional oath of office within ten days after receiving notice of his appointment, or if any member of the board fails to attend, three consecutive regular meetings without being excused by a vote of the board, the board of sidepath commissioners may declare the place vacant by a majority vote of the board. In case charges against any such commissioner are made in writing and filed with the county judge, said county judge may notify such commissioner to appear and make answer to such charges, and may remove such commissioner from office if sufficient cause be shown. Such commissioners shall serve without compensation, but shall be repaid their actual necessary disbursements out of the sidepath fund.

Powers of commissioners; width of sidepath; "sidepath" defined. SECTION 2. Such board of sidepath commissioners is hereby authorized and empowered to construct and maintain sidepaths along any public road or street or section thereof of the county, provided the said board of sidepath commissioners shall be required to obtain the approval of each town board in which said sidepath shall be built, and file the same in the town clerk's office before constructing paths along any road outside the limits of incorporated cities or villages; and provided that they shall be required to secure the approval of the village board of an incorporated village by a resolution at a meeting thereof, before constructing paths along any street of such village; and provided, that they shall be required to secure the approval of the common council of a city by resolution at a meeting thereof, before constructing paths along any street or section thereof, in such city. No sidepath shall be constructed upon any regularly constructed or maintained sidewalk. Such path shall be not less than three nor more than six feet wide, without the consent of the owners of abutting lands, and shall be constructed within the outside lines and along and upon either side of such public roads or streets and not within four feet from the line of the

abutting property and such sidepath shall not be fenced. The term "sidewalks" as used in this act, means any sidewalk constructed or maintained as such by the public authorities or the owner of the abutting lands, which is reserved by custom for the use of pedestrians; but not including foot paths or portions of the public road which are worn only by travel. The term "sidepath" shall be construed to include any path built or acquired by a sidepath commission. No member or any number of members of a sidepath commission shall begin or in any way authorize the construction of a sidepath, to be built from the sidepath fund, until the record of the proceedings of the board shows that it has voted to construct such path. Boards of sidepath commissioners are authorized, upon unanimous vote of the board, to acquire, by gift, purchase or lease, any lands outside of the regular highways necessary for the purpose of building sidepaths, and to expend any of the funds in their possession for this purpose.

Form of license; where carried; fee for; who may use sidepaths. SECTION 3. Such board of sidepath commissioners shall, at their first meeting or within a reasonable time thereafter, and in each succeeding calendar year, adopt a form of license, badge, emblem or device suitable to be affixed to a bicycle, to be known as a bicycle sidepath license. Any person, upon the payment of a fee, to be determined by such commissioners of not less than fifty cents nor more than one dollar, shall be entitled to receive such license, which shall be good during the calendar year for which it is issued, and no longer. Every such license, to be valid, must be issued by the commissioners of the county wherein the bicyclist resides, except that any bicyclist who resides in another state or in some county of this state where there is no sidepath commission, may secure a license in any county where a sidepath commission has been lawfully appointed, and such license shall be valid for the use of the person so purchasing, till a sidepath commission is organized in the county where such person resides, or for the calendar year for which it is issued, and no longer. No person shall ride a bicycle on any sidepath in any county of this state where a sidepath commission has been, or at any time hereafter may be appointed, unless a valid bicycle license is attached or affixed to the left side of the front fork thereof, so that the license shall show on the left side of such bicycle. No person shall counterfeit any such license, or make, sell or give away, or have on his or her bicycle a license purporting to be issued by any county in this state, unless regularly issued by the respective boards of sidepath commissioners appointed pursuant to law. No license shall be valid unless at-

tached to a bicycle as aforesaid. Such license shall be plainly numbered and shall not be valid if the number has been mutilated or changed so as to deceive or be calculated to deceive. No person shall have a license issued for a prior year or anything in the similitude of such a license attached to his or her bicycle in the place aforesaid except a valid license for the calendar year in which it is so used.

Disposition of license fees. SECTION 4. The license fees collected by the said boards of sidepath commissioners shall be deposited on or before the first day of each month with the county treasurer of their respective counties, by whom they shall be credited to a special fund, to be called "the sidepath fund," upon which the boards of sidepath commissioners are authorized to draw warrants signed by a majority of the board, but no warrants shall be drawn in excess of the amount actually on deposit; nor shall any contract or purchase be made, exceeding the amount of such funds at the time of making such contract or purchase. All bills shall be sworn to. Each board of sidepath commissioners shall report annually to the county judge of their respective counties, giving a detailed financial statement and filing with said report the vouchers of such expenditure, which report and vouchers shall be deposited in the county clerk's office.

For what purpose money may be expended. SECTION 5. The said boards of sidepath commissioners shall devote the moneys so collected, to the repairing of existing paths in their repective counties, to the construction of new paths, to the planting of shade trees along such paths, where the consent of the owners of the abutting lands to the planting of said trees has been obtained, to the maintenance of order on the paths and the necessary and authorized expense incurred in enforcing this act.

Driving of animals upon path, prohibited. SECTION 6. No person shall, for the purpose of injuring such sidepath, wilfully lead, stand, hitch, ride or drive any horse, cattle, sheep, swine or other animals upon any sidepath now constructed, or hereafter to be constructed in this state. Provided this section shall not apply to such animals pasturing on the highway, nor to the right of any person to drive such animals across such sidepath for the purpose of access to and egress from lands abutting on the highway.

Willful injury to, prohibited. SECTION 7. No person shall wilfully obstruct, injure or destroy any sidepath or any portion thereof, now constructed or hereafter to be constructed in this state.

Speed upon path regulated. SECTION 8. No person shall ride a bicycle at a greater rate of speed than ten miles an hour when passing another bicyclist or a pedestrian on any sidepath in this state.

Who to control. SECTION 9. Sidepaths heretofore constructed and hereafter to be constructed in this state are hereby placed under the control and protection of the boards of sidepath commissioners of the various counties in which they are located

Removal of limbs of trees. SECTION 10. Any board of sidepath commissioners, with the consent in writing of the superintendent of highways or other officer performing similar duties having jurisdiction thereof, may remove limbs of trees overhanging any sidepath in the county wherein said board has jurisdiction, by obtaining the consent in writing of such officer and the owner of the abutting lands, which consent shall be filed with the town, village or city clerk in which such limbs of trees are to be removed. Provided further that said limbs shall be removed under the personal supervision of such officer, when in the judgment of said board of sidepath commissioners the same shall interfere with the free passage of bicycles along said path.

Penalty for violations. SECTION 11. Any person who rides a bicycles on any sidepath in this state in violation of any of the sections of this act, or does any of the acts by the provisions of this law forbidden, shall be deemed to be guilty of a misdemeanor and shall be punished by a fine of not less than five dollars nor more than twenty-five dollars. And in case of a failure to pay any fine that may be imposed, such person may be committed to jail not exceeding one day for each dollar of said fine.

SECTION 12. This act shall take effect and be in force, from and after its passage and publication.

Approved May 6, 1901.

No. 421, S.] [Published May 8, 1901.

CHAPTER 309.

AN ACT to apportion and district anew the state of Wisconsin into senate districts.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Senatorial districts. SECTION 1. Until there shall be a new apportionment the senatorial districts of this state shall be constituted as follows: The counties of Door, Kewaunee and Marinette shall constitute the first district. The counties of Brown and Oconto shall constitute the second district. The counties of Kenosha and Racine shall constitute the third district. The first, thirteenth, eighteenth and twenty-first wards of the city of Milwaukee, the towns of Granville and Milwaukee, and the villages of North Milwaukee, East Milwaukee and Whitefish Bay shall constitute the fourth district. The second, third, fourth, sixth, seventh, fifteenth and sixteenth wards of the city of Milwaukee shall constitute the fifth district. The ninth, tenth, nineteenth, twentieth and twenty-second wards of the city of Milwaukee shall constitute the sixth district. The fourteenth and seventeenth wards of the city of Milwaukee, the towns of Oak Creek, Lake, Franklin, Greenfield and Wauwatosa, the village of Cudahy, and the cities of South Milwaukee and Wauwatosa shall constitute the seventh district. The fifth, eighth, eleventh, twelfth and twenty-third wards of the city of Milwaukee shall constitute the eighth district. The counties of Adams, Marquette, Wood and Waushara shall constitute the ninth district. The counties of Pierce and St. Croix shall constitute the tenth district. The counties of Burnett, Douglas and Polk shall constitute the eleventh district. The counties of Ashland, Bayfield, Sawyer, Washburn, Price and Taylor shall constitute the twelfth district. The county of Dodge shall constitute the thirteenth district. The counties of Outagamie and Shawano shall constitute the fourteenth district. The counties of Calumet and Manitowoc shall constitute the fifteenth district. The counties of Grant and Crawford shall constitute the sixteenth district. The counties of Green, Lafayette and Iowa shall constitute the seventeenth district. The counties of Fond du Lac and Green Lake shall constitute the eighteenth district. The county of Winne-

bago shall constitute the nineteenth district. The counties of Ozaukee and Sheboygan shall constitute the twentieth district. The counties of Portage and Waupaca shall constitute the twenty-first district. The county of Rock shall constitute the twenty-second district. The counties of Walworth and Jefferson shall constitute the twenty-third district. The counties of Eau Claire and Chippewa shall constitute the twenty-fourth district. The counties of Clark and Marathon shall constitute the twenty-fifth district. The county of Dane shall constitute the twenty-sixth district. The counties of Columbia and Sauk shall constitute the twenty-seventh district. The counties of Richland and Vernon shall constitute the twenty-eighth district. The counties of Dunn, Barron, Pepin, Buffalo, shall constitute the twenty-ninth district. The counties of Florence, Forest, Langlade, Lincoln, Oneida, Vilas and Iron shall constitute the thirtieth district. The counties of Jackson, Juneau and Monroe shall constitute the thirty-first district. The counties of La Crosse and Trempealeau shall constitute the thirty-second district. The counties of Washington and Waukesha shall constitute the thirty-third district.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 6, 1901.

No. 291, S.] [Published May 10, 1901.

CHAPTER 310.

AN ACT relating to public libraries, adding section 931a to the statutes of 1898 and amending section 933 of said statutes.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Annual tax for library in case of gift. SECTION 1. A new section is hereby added to the statutes of 1898, to be numbered and to read as follows: Section 931a. If a gift be offered to any city, village or town for a public library or a library building, in consideration thereof such city, village or town may obligate itself, by an ordinance, to levy and collect an annual tax for

the support and maintenance of such library or building of not to exceed fifteen per cent. of such gift, and if such gift be accepted such ordinance shall not be repealed. In the case of any such gift for a library building, the library board of directors of such city, village or town shall have the exclusive right to select and contract for the purchase of a site therefor, at a cost of not to exceed one-third of such gift. Such board of directors shall report forthwith to such city council, village or town board the amount required to pay for such site, and the council, village or town board shall thereupon, by resolution, include such sum in the next succeeding annual tax levy, or provide for an issue of bonds in the required amount.

Powers of library board. SECTION 2. Section 933 of the statutes of 1898 is hereby amended so as to read as follows: Section 933. Said directors shall, immediately after their appointment, meet and organize by the election of one of their number as president, and by the election of such other officers as they may deem necessary. They shall make and adopt such by-laws, rules and regulations for their own guidance and for the government of the library and reading room as they may deem expedient, not inconsistent with this chapter. They shall have exclusive control of the expenditures of all moneys collected or donated for the library fund, the purchase of a site and the erection of the library building thereon, and the supervision, construction, furnishing, care and custody of the building or rooms constructed, leased or set apart for library purposes; and such moneys shall be drawn from the treasury by the proper officers upon the properly authenticated vouchers of the board, without being otherwise audited. They may appoint a librarian and assistants and any janitor or other necessary employee, prescribe rules for their conduct and fix their compensation.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved May 8, 1901.

No. 10, A.] [Published May 10, 1901.

CHAPTER 311.

AN ACT to amend chapter 45 of the laws of 1899, being an act to provide for the paying of a bounty for the killing of wolves, and repealing all conflicting laws.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Bounty for wolves and wolf cubs. SECTION 1. Section 1 of chapter 45 of the laws of Wisconsin for the year 1899, is hereby amended by inserting between the words "wolf" and "by" in the second line of said section, the words "cub under six months of age;" and by inserting between the words 'dollars" and "and" in the third line of said section, the words, "and every person who shall kill any mature wolf by poison or otherwise shall be entitled to a reward of five dollars;" so that said section, when amended, shall read as follows: Section 1. Every person who shall kill any wolf cub under six months of age, by poison or otherwise, shall be entitled to a reward of three dollars, and every person who shall kill any mature wolf, by poison or otherwise, shall be entitled to a reward of five dollars, to be paid by the county wherein said wolf was killed, on presentation to the county clerk of the town chairman's certificate provided for in section 1627 of the Wisconsin statutes of 1898. Nothing in this act shall prohibit any county from increasing said bounty or reward by a majority vote of its county board at any annual meeting, provided that no county shall pay more than six dollars reward for the killing of a full grown wolf.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 8, 1901.

No. 107, A.] [Published May 10, 1901.

CHAPTER 312.

AN ACT to authorize the levy of a special highway tax in towns and to provide for county aid in constructing permanent highways.

The people of the state of Wisconsin represented in senate and and assembly do enact as follows:

Special tax for main highway improvements. SECTION 1. The electors of any town in this state, at the annual town meeting, may vote a special highway tax not less than one-half mill, nor to exceed two and one-half mills on the dollar of the assessed valuation of said town in addition to the highway tax provided by law; said special tax to be collected in money and used only for the purpose of covering any main traveled highway already graded, with gravel, crushed rock or clay and gravel.

County aid for, how received. SECTION 2. Whenever the supervisors of any town shall file with the county board of the county in which such town is situated, a petition setting forth that such town, in addition to levying the usual highway taxes has voted to cover any main traveled highway, after the same has been properly graded at the expense of said town, not less than twenty-four feet wide, with gravel, crushed rock or clay and gravel to a depth of not less than four inches and not less than eight feet in width, and that said town has provided for the payment of one-half of the cost of covering said main traveled highway with gravel, crushed rock or clay and gravel, the county board shall appropriate the other half of such cost and cause such sum to be levied upon all the taxable property in the county, as will with the amount provided for by said town be sufficient to defray the expense of covering said main traveled highway or highways designated in said petition. Such money when collected, shall be paid out on order signed by the chairman of the county board and county clerk whenever said town supervisors shall notify them that the work has been completed and accepted. The county board shall, at the time of making such appropriation, designate four of its members who shall have full authority to act with the town board of supervisors in letting the contract for, providing the specifications for, and inspecting and accepting the work, provided that nothing herein contained shall compel any county to make or cover more than

one mile of highway at a cost not to exceed one thousand dollars in a town in any one year, or to levy a total tax of over one mill on the dollar of the assessed valuation in any one year.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 8, 1901.

No. 349, A.] [Published May 10, 1901.

CHAPTER 313.

AN ACT to create a municipal court in and for Forest county.

The people of the state of Wisconsin represented in senate and and assembly do enact as follows:

Court created. SECTION 1. There is hereby created and established in and for the county of Forest, a municipal court with the power and jurisdiction hereinafter specified and provided.

Election of judge; term, vacancy. SECTION 2. On the first Tuesday in April 1901, and every four years thereafter, there shall be elected in the county of Forest in the same manner as county judges are elected, a municipal judge, who shall hold his office for the term of four years and until his successor is elected and qualified, and in case of a vacancy occurring in the office of municipal judge, the vacancy shall be filled by appointment by the governor and the person so appointed shall hold the office until the end of the term for which he is appointed. Provided that upon the passage and publication of this act the office of judge of said court shall be deemed to be vacant, and shall be filled by appointment as herein provided.

Judge to be an attorney. SECTION 3. No person shall be eligible to the office of judge of said municipal court who is not an attorney of a court of record in this state.

Oath and bond of judge. SECTION 4. The judge of said municipal court shall, before entering upon the duties of his office, take and subscribe the constitutional oath of office and file the same with the clerk of the circuit court of Forest county and

execute to said county a bond in the sum of one thousand dollars, with such sureties as shall be approved by the county treasurer of Forest county, and recorded and filed as provided in section 702 of the Wisconsin statutes conditioned upon the faithful performance of the duties of said office and the faithful accounting of all moneys or properties that may come into his hands by virtue of his said office.

County to provide court room. SECTION 5. The judge of the said municipal court shall hold his office at the county seat of Forest county in a suitable room provided for such purpose by the county board of said county.

Civil and criminal jurisdiction of court. SECTION 6. The municipal judge of Forest county shall have cognizance of and jurisdiction to hear, try and determine all action and proceeding at law wherein the amount of the debts, damage, demand, penalty or forfeiture shall not exceed the sum of five hundred dollars, and actions to recover the possession of personal property, with damages for the unlawful taking and detention thereof, wherein the value of the property claimed shall not exceed the sum of five hundred dollars. Said judge shall also have exclusive criminal jurisdiction of all actions now cognizable by justices of the peace in said county and no justice of the peace in said county shall have a jurisdiction in any criminal examination or trial except to issue warrants returnable to the municipal court of said county. The proceedings and practice of said court shall in all respects be governed as far as practicable by the laws governing justices of the peace in this state and transcripts of the judgments of the said municipal court may be filed and docketed with the clerk of the circuit court for said county with the same effect as transcripts of judgments rendered by justices of the peace, and appeals, civil and criminal, from said court may be taken in the same manner and with like effect as is provided by law for appeals from judgments of justices of the peace. The said municipal court shall also have power and jurisdiction to hear, try and determine any action mentioned in subdivisions 1, 2, 3 and 4 of section 3573 of chapter 154 of the Wisconsin statutes wherein the amount of the damages or property in question does not exceed the value of five hundred dollars.

Judge ex-officio court commissioner. SECTION 7. The municipal judge of Forest county shall be ex-officio court commissioner and shall have and may exercise all the powers conferred upon court commissioners by section 2434 of the Wisconsin statutes and the official designation of said court when so acting shall be "municipal judge of Forest county."

Judgment by confession. SECTION 8. Judgment by confession may be entered before the judge of said municipal court in any sum not exceeding one thousand dollars without action either for money due or to become due or to secure any person against a contingent liability on behalf of the defendant, or both, if a statement in writing be made and signed by the defendant and verified by his oath to the following effect: (1) It must state the amount for which judgment may be entered and authorize the entry of judgment therefor by the municipal court or the judge of said court: (2) If it is for money due or to become due it must state concisely the fact or facts out of which it arose and must show, that the sum confessed therefor is justly due or to become due: (3) If it be for the purpose of securing the plaintiff against a contingent liability, it must state concisely the fact or facts constituting the liability and must show that the sum confessed does not exceed the same.

When justice of peace may preside. SECTION 9. In case of sickness, absence or temporary disability of said municipal judge he may by an order in writing, to be filed in said court, appoint the county judge or any justice of the peace of said county to discharge the duties of said judge during such sickness, absence or disability, who shall have the same powers as said judge while administering said office.

Proceeding in lieu of change of venue. SECTION 10. No action, examination or other proceeding shall be removed from said court but when prior to joining issue in any action or before the commencement of any examination it shall appear by affidavit that the municipal judge is a material witness or is within the forbidden degree of consanguinity or from prejudice the municipal judge will not decide impartially in the matter, the municipal judge shall notify the county judge or some justice of the peace to hear said examination or other proceeding as the case may be, whereupon it shall be the duty of such magistrate to forthwith appear at the court-room of said municipal court and to discharge the duties of said municipal judge or the hearing of such examination or other proceeding in the same manner and with like effect as if heard by the municipal judge of said court, and the record shall have like force and effect as if made by said municipal judge. The magistrate so acting in said proceeding shall receive for his compensation therefor the sum of one dollar and twenty-five cents for each half day he shall spend in such examination or other proceeding, which shall be in full for his services therein. If such examination or trial shall be for a criminal offense he shall be paid out of the county

treasury in the same manner as justices of the peace are now paid, and if in a civil action he shall be paid by said municipal judge.

Trial by jury. SECTION 11. Trial by jury may be had in said municipal court in the same manner and process as in justice court.

Service of process. SECTION 12. Sheriffs and constables of Forest county shall have the same power to serve and execute process of this court as of a court of justice of the peace and shall be allowed the same fees as are allowed constables in justices' courts.

Judge to keep civil and criminal dockets; issue of summons in blank. SECTION 13. The judge of said court shall keep one docket for criminal trials and examinations and a separate docket for all civil actions, and all docket entries and all processes shall be made and kept in the same manner, as far as practicable, as the same are required to be kept by justices of the peace under the statutes. Provided the municipal judge may in civil actions sign in blank, summonses, writs and other civil processes and deliver them to attorneys of any court of record to be issued by them. Such attorneys upon issuing such summonses, writs or other processes shall subscribe the same, and shall file within twenty-four hours thereafter the affidavit, if any, upon which such summons, writ or process was issued and a statement of the names of the parties to the action, the date of the summons, writ or other process, the time when the same is returnable and the nature of the claim or demand. Thereupon the said judge shall forthwith docket said case as if made at the time of issuing the summons, writ or other process.

Salary of judge. SECTION 14. The salary of the judge of the municipal court of Forest county shall be fixed by the board of supervisors of Forest county and shall be paid out of the county treasury of Forest county in the same manner that the salary of other county officers is paid, and shall be in full for all services rendered in any criminal examination, trial or other criminal matters. He shall have the same fees and is empowered to tax and receive the same fees as allowed by law to justices of the peace, except as hereinafter provided and shall tax as costs the same fees in the same manner as in justices' court. He shall pay into the county treasury monthly all fees received by him in any criminal matter and may retain all fees received by him in any civil action. He shall file on the first day of November of each year with the county clerk of said county a statement of

all fees paid by him to the county treasurer, and said statement shall be verified by him under oath. He shall also file with said clerk the statements required from other magistrates by sections 679 and 680, Wisconsin statutes.

Attorney's fees. SECTION 15. In all actions in the municipal court of Forest county attorney's fees shall be allowed to the prevailing party as provided by section 3775 of the Wisconsin statutes.

Stationery, county to furnish. SECTION 16. The county of Forest shall provide the municipal court with the necessary dockets, stationery and blanks for the proper conduct of said office.

Reporter for court. SECTION 17. It shall be lawful for the municipal judge of said county to call in a stenographic reporter, skilled in the art of short hand reporting, to take testimony in any examination, trial or other proceeding and the reporter's notes so taken may be filed in lieu of the minutes of testimony required by law to be taken by justices of the peace in like proceedings. Provided that in cases of appeal in civil actions said reporter, when requested by the appellant, shall transcribe said testimony in long hand, and the fees for transcribing said testimony, not exceeding five cents per folio, shall be taxed as a part of the judge's fees in the case. Said reporter shall receive such compensation for taking testimony as shall be allowed by the judge of said court, not exceeding three dollars and fifty cents for each day and two dollars for each half day, actually employed in taking such testimony. In all criminal proceedings the compensation of such reporter shall be paid out of the county treasury upon the certificate of the municipal court, and in all civil cases his compensation shall be taxed as a part of the costs in lieu of the fees now allowed to justices of the peace for taking testimony. Section 2439 of the Wisconsin statutes shall apply to said reporter and to said court.

Court may be held in any part of county. SECTION 18. The municipal court [judge] of Forest county, whenever it shall appear to him to be for the best interests of all parties to do so, may appoint a time and place in any part of Forest county in which to hold court for the purpose of holding an examination or trial or other proceeding and shall be entitled to receive, as a part of his compensation, his necessary and actual expenses in going to, returning from and attendance upon any criminal examination, trial or other process, to be paid out of the county treasury in the manner that other claims against said county are

paid, and may tax the same amount as a part of the costs in any civil action.

SECTION 19. This act shall take effect and be in force, from and after its passage and publication.

Approved May 8, 1901.

No. 373, A.] [Published May 10, 1901.

CHAPTER 314.

AN ACT to create a second municipal court for Lincoln county.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Second municipal court created. SECTION 1. There is hereby created and established in and for the county of Lincoln, a municipal court to be known and designated as "The second municipal court of Lincoln county," with the powers and jurisdiction hereinafter specified and provided.

Election of judge; term; vacancy. SECTION 2. On the first Tuesday of April 1901, and every four years thereafter, there shall be elected in the county of Lincoln, in the same manner as county judges are elected, a municipal judge for said court who shall hold his office for the term of four years from the first Monday of May next following his election, and until his successor is elected and qualified, and in case of vacancy occurring in the office of municipal judge, the vacancy shall be filled by appointment by the governor, and the person appointed to fill such vacancy shall continue in office for the residue of the term for which his predecessor was elected or appointed; provided that upon the passage and publication of this act the office of judge of said court shall be deemed to be vacant and shall be filled by appointment as herein provided.

Judge to be an attorney. SECTION 3. No person shall be eligible to the office of judge of said municipal court, except an attorney of a court of record, and such judge shall hold no other county office during the term for which he was elected.

Oath and bond. SECTION 4. The municipal judge before entering upon the duties of his office, shall take and subscribe the constitutional oath of office and file the same, duly certified, in the office of the clerk of the circuit court for said county and execute to the said county a bond in the sum of one thousand dollars, with two or more sureties to be approved by the county treasurer of said county and recorded and filed as provided in section 702 of the statutes of 1898, conditioned for the faithful performance of the duties required of him by law and for the faithful application and payment of all moneys and effects that may come into his hands in the execution of the duties of his office.

Court, where held. SECTION 5. The judge of the second municipal court of Lincoln county shall hold his office at the city of Tomahawk in a suitable room for such purpose, to be provided by the board of supervisors of Lincoln county.

Civil and criminal jurisdiction of. SECTION 6. The second municipal court of Lincoln county and the municipal judge thereof, shall have cognizance of and jurisdiction to hear, try and determine all actions and proceedings at law wherein the amount of debt damages, demand, penalty or forfeiture shall not exceed the sum of five hundred dollars; actions to recover the possession of personal property with damages for the unlawful taking or detention thereof, wherein the value of the property claimed shall not exceed the sum of five hundred dollars, exclusive of damages, actions founded on an account when the same shall be reduced to an amount not exceeding five hundred dollars, by credits given to hear, try and determine all actions arising under chapter 145 of the statutes of 1898 when the amount claimed shall not exceed five hundred dollars, and all charges for offenses arising within said county and which are not punishable by commitment to state prison, offenses against the city charter, ordinances, by-laws, rules and regulations of the city of Tomahawk said county, and shall have power to sentence and commit all persons convicted of any offense of which he has jurisdiction. Said judge shall have power and jurisdiction throughout the county to cause to come before him, persons who are charged with having committed any criminal offense and commit them to jail, or bail them as the case may require. Said judge shall further have all the jurisdiction, authority, powers and rights given by law to justices of the peace, together with the power and right in his discretion to charge the jury upon written charges submitted by the parties, and said judge shall be subjected to the same prohibitions and penalties as justices

of the peace. No justice of the peace or police justice within the city of Tomahawk, shall exercise any jurisdiction in criminal cases, but all such jurisdiction is vested in said court and the judge thereof. The proceedings and practice in said court shall in all respects be governed, so far as practicable, by the law relating to justices' courts of this state, and transcripts of judgments of the municipal court may be filed and docketed with the clerk of the circuit court of said county with the same effect as may be transcripts of judgments rendered by justices of the peace of said county. Nothing herein contained shall be construed to give the said municipal judge cognizance of any actions mentioned in subdivisions 1, 2 and 3 of section 3573 of chapter 154 of the statutes of 1898 of this state.

Judgment by confession. SECTION 7. A judgment by confession may be entered by the judge of said court in any sum not exceeding one thousand dollars without action, whether for money due or to become due or to secure any person against contingent liability on behalf of the defendant or both if a statement be made in writing signed by the defendant and verified by his oath to the following effect: First. It must state the amount for which judgment may be entered and authorize the entry of judgment therefor by the judge of said court. Second. If it be for money due or to become due, it must state concisely the fact out of which the indebtedness arose and must show that the amount confessed therefor is justly due or to become due. Third. If it be for the purpose of securing the plaintiff against a contingent liability, it must state concisely the facts constituting the contingent liability and must show that the sum confessed does not exceed the same.

When justice of the peace may sit. SECTION 8. In case of sickness, absence or temporary disability of such municipal judge, he may by an order in writing to be filed in said court, appoint a justice of the peace in said county to discharge the duties of said judge during such sickness, absence or disability who shall have the powers of such judge while administering such office.

Proceedings in lieu of change of venue. SECTION 9. No action, examination or other proceeding shall be removed from said court, but whenever it shall appear by affidavit that the municipal judge is interested, pecuniarily in the action, examination or other proceeding or that said judge is a material witness or within the forbidden degree of consanguinity or from prejudice will not decide impartially in the matter, and the matter or proceeding is one of which a justice of the peace has juris-

diction, the municipal judge shall notify the nearest justice of the peace in the county of Lincoln, not disqualified to try said case or to hear said examination or other proceeding as the case may be, whereupon it shall be the duty of said justice so notified as aforesaid, to forthwith appear at the court room of said municipal court and to discharge the duties of judge of said municipal court on trial of said case or the hearing of said examination or other proceeding, in the same manner and with like effect as said municipal judge would if not disqualified to act, and the doings of said justice of the peace while so presiding over said municipal court shall have and be of the same force and effect as proceedings of said municipal judge and when such action, examination or other proceeding is concluded a like record as in other like cases shall be made in said court and thereafter and thereupon execution may be issued as in other cases tried before said municipal judge. Said justice of the peace while presiding over said municipal court shall receive the same fees as are allowed by law to said justice of peace for his service. In matters or proceedings of which a justice of the peace has no jurisdiction, when such affidavit is filed the municipal judge shall transfer the same to the county court of Lincoln county, which county court shall thereupon have jurisdiction to hear, try and determine the same in the same manner and with like effect as if such action or proceeding had been begun in said county court.

Judge to have court commissioner's powers. SECTION 10. The municipal judge of said county shall have and may exercise in his county all the powers and may perform all the duties of a court commissioner as defined in section 2434 of the statutes of 1898, and every authority granted to or limitation of the powers of the court commissioner by the laws of Wisconsin shall be construed to extend to said municipal judge acting in such capacity, except when otherwise expressly provided. The official designation of said officer in matters where he shall so act, shall be "judge of the second municipal court of Lincoln county."

Removal of civil action from justice court to. SECTION 11. Whenever any civil action shall be removed from any justice of the peace in the county of Lincoln, upon the oath of the defendant, his agent or attorney according to the provisions of law for such removal, if said defendant, his agent or attorney requests in writing to such justice that the action be removed to said municipal court then the action and all the papers therein shall be transmitted to the presiding judge thereof, who shall proceed with the action in the same manner as if originally instituted before him, provided that no action, examination or proceeding shall be removed to the said municipal court from any justice

court in the city of Merrill in said county, without the consent of all parties to such action or proceeding.

Trial by jury. SECTION 12. Trial by jury may be had in said court in the same manner and process as in justices' courts.

Service of process. SECTION 13. Sheriffs and constables of Lincoln county shall have the same power to serve and execute process as of justices' courts and shall be entitled to the same fees and shall be subject to the same liabilities and penalties as in justices' courts.

Separate and criminal dockets; may issue summons in blank. SECTION 14. The judge of the said court shall keep one docket for criminal trials and proceedings, one docket for civil actions and a separate docket for the trail of offenses against the city charter and ordinances of the city of Tomahawk in said county. In civil actions and in all criminal trials, examinations and proceedings in said court under this act, the docket entries and process shall be made, kept and filed in the same manner, as far as applicable to the municipal court, as the same are required to be kept by justices of the peace under the laws of this state, provided that in all civil actions, said judge may sign in blank, summons and other process and deliver the same to attorneys of courts of record throughout the county to be issued by them as occasion may require, and upon the filing of said summons or other process at any time before the day on which the same is made returnable, said judge shall forthwith docket said case, which docket entries shall have the same force and effect as if made at the time of issuing such summons or other process; provided further that no summons or other process issued by an attorney at law under the provisions of this act, shall be valid unless said attorney shall endorse thereon his name or the name of the firm of which he is a member, which endorsement shall be substantially in the following form: Issued by A. D. attorney at law; provided further that all process, except subpoenas, shall be made returnable at nine o'clock A. M. of the return day, and when any action, examination or proceeding in the municipal court shall be adjourned or continued to a day certain, it shall be set for trial at nine o'clock A. M. of the day to which the same has been adjourned or continued, unless otherwise agreed to by the parties, and at the hour specified the parties shall proceed to the trial without delay unless the same shall be adjourned or continued by the court for cause shown and upon such terms as may be just and equitable.

Compensation of judge to be taxed as costs. SECTION 15. In all actions, examinations or proceedings in the municipal court under this act, the county board shall fix the compensation of the municipal judge, which sum shall be taxed as costs in the case.

Attorney's fees. SECTION 16. In all actions in the municipal court under this act, an attorney's fee shall be allowed to the plaintiff if he recover judgment as follows: If the judgment does not exceed twenty-five dollars, the sum of two dollars and fifty cents; if the judgment exceeds twenty-five dollars and does not exceed one hundred dollars, a sum equal to ten per centum of the judgment; if the judgment exceeds one hundred dollars and does not exceed two hundred dollars, ten dollars on the first hundred dollars and five per centum on the balance of the judgment; if the judgment exceeds two hundred dollars, fifteen dollars on the first two hundred dollars and two and one-half per centum on the balance of the judgment. In case judgment shall be for the defendant he shall receive the same attorney's fee, and the amount claimed by the plaintiff shall be the basis for computing the same. In actions of replevin, the value of the property as proved shall govern the amount of attorney's fees, in case judgment is for the plaintiff and the value of the property as claimed shall govern the amount of attorney's fees in case judgment is for the defendant. In any case not herein provided for, a reasonable attorney's fee shall be allowed in the discretion of the court, provided that no attorney's fee shall exceed the sum of twenty-five dollars; and provided further that no attorney's fee shall be allowed unless the prevailing party shall appear in the action by an attorney of a court of record.

Reporter; compensation of. SECTION 17. It shall be lawful for the municipal judge by request of either party, to call in a phonographic reporter skilled in the art of shorthand reporting, to take testimony in any action, examination or proceeding in the municipal court, and the reporter's notes so taken may be filed in lieu of the minutes of testimony required by law to be taken by justices of the peace in like proceedings, provided that in case of appeal in civil actions, said reporter when requested by the appellant shall file a transcribed copy of his notes, verified by his oath, which shall be returned as the testimony in the case, and the fees for transcribing said testimony, not exceeding five cents per folio shall be taxed as a part of the judges' fee in the case. Said reporter shall receive such compensation for taking testimony as shall be fixed by the county board, which amount shall be taxed as costs in the case. In all cases wherein the

county shall become liable for the costs, said fees and per diem shall be certified, audited and paid out of the county treasury monthly upon filing with the county treasurer the certificate of the municipal judge showing the title of the case and the amount due said phonographic reporter for services therein. The sum per diem to the municipal judge and to the phonographic reporter shall be in lieu of the fees allowed by law to justices of the peace for taking testimony therein. Section 2439 of the statutes of 1898 shall apply to said reporter and said court.

Seal for court; effect of. SECTION 18. The municipal judge may provide a seal for said court and all papers, depositions, certificates, acknowledgments, examinations and other documents executed or signed by said judge when sealed with the seal of the court shall be evidence in all courts and places in this state, and shall have the same effect as the seal of a court of record.

Appeals. SECTION 19. Appeals from said municipal court shall be taken to the circuit court for Lincoln county and when not otherwise provided the law relating to appeals from justices' courts shall apply. The same affidavit and notice in substance shall be made and given as upon appeal from justice's courts.

Records to be public. SECTION 20. The documents and records of said municipal court shall be public records, open to the inspection of all persons at every reasonable hour.

Notice of election of judge. SECTION 21. The county clerk of Lincoln county shall give the same notice of the election of said judge as in other judicial elections.

Stationery, etc., who to furnish. SECTION 22. All needful stationery and all blanks required by said court in civil and criminal actions and examinations and judges' dockets required by law shall be furnished at the expense of Lincoln county.

SECTION 23. This act shall take effect and be in force, from and after its passage and publication.

Approved May 8, 1901.

No. 436, A.] [Published May 10, 1901.

CHAPTER 315.

AN ACT to amend sections 20 and 21 of chapter 374 of the private and local laws of 1870, relating to incorporation of the Trempealeau county farmers' mutual and fire insurance company.

The people of the state of Wisconsin represented in senate and and assembly do enact as follows:

Qualifications of officers; liability on forfeiture of membership. SECTION 1. Section 20 of chapter 374 of private and local laws of 1870 is hereby amended by striking out the words "and members" where the same appears in first line of said section and by striking out the words " and any member upon ceasing to be such resident shall thereby forfeit his membership in this company, but shall be liable to be assessed his just proportion for all claims existing against the company at the time he or she ceases to be such member," and insert in lieu thereof the following: "any person forfeiting his membership in this company shall be liable to be assessed his just proportion for all claims existing against the company at the time he or she ceases to be such member," so that said section as amended shall read as follows: Section 20. All officers of the company must be residents of the county of Trempealeau. Any person forfeiting his membership in this company shall be liable to be assessed his just proportion for all claims existing against the company at the time he or she ceases to be such member.

Who may become member. SECTION 2. Section 21 of chapter 374 of private and local laws of 1870 is hereby amended by striking out the words "being a resident of," where the same appears in first line of said section and inserting in lieu thereof "owning property in," so that said section as amended shall read as follows: Section 21. Any person owning property in the county of Trempealeau may become a member of this company by subscribing his or her name to such application therefor as the company may provide and use in making insurance and paying the secretary a fee of one dollar and fifty cents and also ten cents on each one hundred dollars insured.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 8, 1901.

No. 250, S.] [Published May 10, 1901.

CHAPTER 316.

AN ACT to prescribe the duties of city superintendent of schools in cities of the third and fourth class.

The people of the state of Wisconsin represented in senate and and assembly do enact as follows:

To examine and license teachers. SECTION 1. It shall be the duty of the city superintendent of schools, in those cities of the third and fourth class in which the office of city superintendent of schools has been created or may hereafter be created by the common council thereof under the provisions of section 925—23 of the statutes of 1898, to examine and license teachers, and under the direction of the board of education to supervise and manage the schools.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 8, 1901.

No. 364, S.] [Published May 10, 1901.

CHAPTER 317.

AN ACT to amend section 3023q, statutes of 1898 relating to the duties of the bank examiner.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Powers over insolvent bank. SECTION 1. Section 2023q, statutes of 1898, is hereby amended by striking out all after the word "appearing" where it occurs in the sixth line of said section and inserting in lieu thereof the following: "If any bank shall refuse or neglect for ninety days after receipt of such notice to make good such deficiency and shall refuse to go into liquidation, the bank examiner may notify the attorney general

who shall thereupon institute proceedings for the appointment of a receiver to close up the business of such bank. Whenever the bank examiner, after due examination of its affairs, shall become satisfied that a bank is insolvent, he may immediately take charge of such bank and all the property and effects thereof and notify the attorney general of his action therein; and it is hereby made the duty of the attorney general, upon receiving such notice, to immediately institute proper proceedings for the purpose of having a receiver appointed to take charge of such bank and wind up the affairs and business thereof."

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Appointed May 8, 1901.

No. 40, S.] [Published May 10, 1901.

CHAPTER 318.

AN ACT to amend section 1363 of the statutes of 1898, relating to town drains.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Straightening or altering course of drains. SECTION 1. That section 1363 of the statutes of 1898 is hereby amended by inserting after the word "may" in the thirty-third line of said section, the following words, to-wit: "straighten or alter the course or," and also by inserting after the word "sloping" in the thirty-fifth line of said section, the following words, to-wit: "straightening or altering the course of."

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 8, 1901.

No. 109, S.] [Published May 9, 1901.

CHAPTER 319.

AN ACT to amend section 1778 of the statutes of 1898, in relation to the construction of lines for the use of telegraph, telephone and power transmission companies.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Liability of telephone, telegraph and power corporations. SECTION 1. Section 1778 of the statutes of 1898 is hereby amended so as to read as follows: "Any corporation formed under this chapter to build and operate telegraph or telephone lines or power transmission for public purposes, or conduct the business of telegraphing, or telephoning or transmitting power for public purposes, may, subject to all reasonable requirements and regulations made by any city or village through, across or adjoining which said line or lines may be proposed to be constructed, construct and maintain any such lines, with all necessary appurtenances, from point to point, upon, along or across any public road, highway or bridge, or any stream or body of water, or upon the land of any owner consenting thereto, and from time to time extend the same at pleasure, and for such purposes may also acquire lands or any interests therein, in the manner provided in this act; and may connect and operate its lines with the lines of any person or corporation engaged in like business, within or without this state, and charge reasonable tolls for the transmission and delivery of messages or the furnishing of power for public purposes. But no such telegraph line, or any appurtenance thereto, shall at any time obstruct or incommode the public use of any road, highway, bridge, stream or body of water. Whenever the use of any such line shall be abandoned or discontinued, the proper corporation shall forthwith take down and remove all wires, posts or other articles; and on failure for three months after such abandonment or discontinuance so to do, any person owning land near, over or upon which such line shall pass, may take down and remove the same, or any part thereof, for his own use. Any person, association or corporation operating or owning any telegraph or telephone or power transmission line for public purposes, doing business in this state, shall be liable for all damages occasioned by the failure or negligence of their operators, servants or employees

in receiving, copying, transmitting or delivering dispatches, messages or the furnishing of power to its patrons for public purposes. Nothing contained in this act shall authorize or empower such telegraph, telephone or power transmission company or corporation to in any manner destroy, trim or otherwise injure any shade or ornamental trees along any such lines, except by consent of the owner.

Petition. SECTION 2. Condemnation proceedings may be instituted for the taking by such corporations of rights, easements or interests over bridges and streams within the limits of any public highway, road, street or alley, and in land only on or within public highways, roads, streets or alleys over or upon which the line is, or is to be constructed or located, either by the corporation or any person interested in the land. They shall be commenced by petition to the circuit court or a circuit judge of the county in which the land lies. The petition may be signed and verified in the same manner as pleadings in the circuit court, and shall contain the following, in substance: The road, street, alley or highway along or over which the line is to be or has been constructed. The terminus of the line on such property, if any, and on which side or part of the highway the line is or will be located. If made by the corporation, that it intends in good faith to use such real estate, and that it is required for its use. If made by another, that it is used or is designed by the corporation to be used, for telegraph, telephone purposes or for the transmission of power for public purposes.

Order for hearing. SECTION 3. Upon the filing of such petition, the court or judge shall make an order fixing the time and place of hearing the petition, which shall be served personally, in the same manner as a summons in the circuit court, at least twenty days before the hearing, or by publication, as the court or judge may direct, at least ten days before the hearing. Such service shall be made upon the owner and any occupant of the land over which the line is, or is proposed to be located, in case the proceedings are taken by the corporation, and upon any officers or director of the corporation, in case they are commenced by the land owner.

Hearing. SECTION 4. The court or judge shall hear all persons interested who shall appear, shall appoint guardians ad litem for parties under any disability, and determine the right of the parties; and if sufficient cause exists, shall appoint one or three disinterested and competent freeholders of the county, or of any adjoining county, as commissioner or commissioners to ascertain and appraise the just compensation of those interested

in the real property to be or which has been taken in the county where it lies, and fix therein the time and place of the first commissioners' meeting. The term of such appointment shall not exceed one year, and may be further limited.

Proceedings of commission. SECTION 5. The commissioners shall take an oath that they will support the constitution of the United States and of the state of Wisconsin, and faithfully discharge their duty as commissioners to the best of their ability. Upon request of the corporation or any person interested in the property described in the petition, and not otherwise, they shall proceed with the performance of their duties, and may adjourn the proceedings, but not more than twice nor more than sixty days in all as to any one case. They shall cause notice of the time and place of their meeting to consider the compensation to which the owner is entitled to be served personally on the owner or other person interested, or his agent, attorney or guardian ad litem, or by leaving the same at his residence, with a person of suitable age and discretion, at least ten days before such meeting. If such party be a non-resident, or his residence is unknown, and have no agent or attorney in the state known to the commissioners, the notice shall be served by publication, in such manner as the court or judge shall direct. Proof of the service of such notice, and of the appearance of the parties, shall be filed in the clerk's office. No service of notice of any subsequent meeting, held pursuant to adjournment, shall be necessary. The commissioner or commissioners shall view such of the premises described in the petition as are described in such written request, and hear the allegations of the parties and appraise ascertain and determine the value of the rights to be taken, and of each separate estate therein, and the damages sustained by the owner by reason of the taking thereof, and fix the amount of such compensation to be made to each of such owners therefor; and in fixing the amount of such compensation said commissioner or commissioners shall include all damages for the erection, construction and maintenance of a telegraph, telephone, or power transmission line for public purposes over and along such public highways, roads, streets or alleys or over such bridges or streams, including such additional wires as may from time to time be placed on said line and of replacing the poles from time to time as may be necessary. The commissioners may, in case of dispute, determine the places along said line in which the poles shall be set. And in no case, except where the owner consents thereto, shall poles be set in front of a building occupied for business or residence purposes, unless the com-

missioners shall find that the same is necessary, and in such case such poles shall be placed within four (4) feet of the boundary line or party wall of such building. After the condemnation proceedings have been completed the court may still determine as to whether such line or any pole or fixture thereof might be removed to some other point or place within such public road, street, highway or alley, or over such bridge or stream, and determine the question as to whether the necessity exists that such pole or other fixture remain in the spot or place theretofore located. A majority of the commissioners, all being present, shall be competent to determine all matters before them. The commissioners shall, within twenty days after last viewing any of the property so taken, make and file in the office of the clerk of the circuit court of such county a report of their proceedings concerning such property, making separate reports in relation to the property of each distinct owner and setting forth the award made to each owner or owners thereof. The commissioners shall be entitled to such compensation as the court may direct, which shall be paid by the corporation taking such telegraph, telephone or power line.

Appeals. SECTION 6. Within thirty days after the filing of the report of the commissioner or commissioners in the office of the clerk of such circuit court, any party may appeal to the circuit court from any award made by the commissioners by filing in the office of said clerk a written notice of appeal from such award. Upon filing such notice the appeal shall be considered an action pending in court, subject to change of place of trial and appeal to the supreme court as in other actions, and shall be entered by the clerk upon the records of the court by setting down the owner or owners of the lands for which said award was made and who are parties to the appeal as plaintiffs and the corporation as defendant. Such appeal shall be tried by jury unless a trial by jury be waived by both parties. Costs shall be allowed to the successful party on such appeal, and if in favor of the plaintiff shall be added to the amount of the verdict, if in favor of the defendant to be deducted therefrom; and judgment shall be rendered thereon according to the rights of the parties.

Payment of award; possession; executions; intervention. SECTION 7. The report of the commissioner or commissioners shall be recorded by the clerk in whose office the same is filed, and at any time after the making of such award the corporation may pay the owners of the property so taken, or to the clerk of said court for the use of such owners, the amount awarded by the

commissioners, and thereupon may enter into the use of the property or rights which have been condemned, and upon twenty-four hours' notice may move said court or judge that a writ of assistance may be issued to put such corporation into possession of the same, and said court or judge shall, upon the corporation giving security in such amount as the court or judge shall require, to pay any judgment that shall be recovered against it on appeal, award such writ. If the corporation be in possession, or be put in possession of any property pending an appeal the owners or parties entitled thereto shall be entitled to receive the money paid into court on account of the award appealed from, without prejudice to the appeal taken; but if the corporation shall have appealed, such money shall only be so withdrawn upon the person withdrawing the same filing a bond in such sum and with such surety or sureties as shall be provided by the court or judge to repay the amount by which award shall be paid on appeal, with costs. If such corporation shall omit for the space of sixty days to pay the amount so awarded into court or to pay into the court the amount of any final judgment which will be rendered upon any appeal from such award, the party interested in such award or judgment may have execution upon said judgment without motion, or for the amount of such award upon motion and if execution be returned unsatisfied may maintain an equitable action for the sale of the lines and franchises of the corporation. If in any event the title to or incumbrance upon any of the premises shall be suggested, or if any party to said proceeding or any person not a party, shall petition said court, setting up a claim adverse to the title set out in said petition to said premises or any part thereof or to the money or any part of it to be paid as compensation for the property taken, the court shall hear and determine the rights of the parties to said money and for that purpose may order a reference or issue to be tried by a jury. Either party may except to the decisions of the court and appeal to the supreme court in like manner as in actions. Either court may award costs to the prevailing party and render judgment therefor.

When use to vest. SECTION 8. When the corporation shall have paid into court the amount of the award or of the judgment, or filed a receipt therefor, the rights and easements obtained by said corporation shall vest in the corporation, its successors and assigns, so long as used for telephone or telegraph purposes, or power transmission for public purposes, without any other or further act, deed or conveyance, and said report, or a certified copy thereof, shall be prima facie evidence in all courts and places,

Remedies; condemnation after taking; limitations. SECTION 9. This act shall not apply to any proceeding or action now pending, nor to any claim or cause of action existing prior to the passage of this act, nor shall the right of the land owner to bring or maintain any action of trespass, trespass on the case, nuisance or ejectment be impaired, but all such actions or proceedings pertaining to such rights, easements or interests over bridges and streams and in public highways, roads, streets or alleys shall be brought before July first, 1903, and not thereafter. The proceedings herein authorized, pertaining to such rights, easements or interests over bridges and streams in public highways, roads, streets or alleys, may be taken in respect to telegraph, telephone and power lines now existing before July first, 1903, and not thereafter. In case of rights or easements taken or used by any such corporation after the publication of this act, the proceedings herein authorized shall not be taken nor other action commenced against the corporation in respect to its rights to use or possess such rights or easements, unless begun within six years after the commencement of the constrction of any such line over, along, or across any property. Section 1329a of the statutes of 1898 is not affected by this act, and is continued in full force.

SECTION 10. This act shall take effect and be in force from and after its passage and publication.

Approved May 8, 1901.

No. 67, S.] [Published May 10, 1901.

CHAPTER 320.

AN ACT to amend section 1459 of the statutes of 1898 relating to the State horticultural society and Dairymen's association and making and [an] appropriation.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Society, a body corporate; duty of; annual appropriation to, increased. SECTION 1. Section 1459 of the statutes of 1898 is hereby amended by striking out the words "seventeen hun-

dred and fifty dollars," in the twelfth and thirteenth lines of said section 1459, and by inserting in lieu thereof the words "twenty-two hundred and fifty," so that said section when so amended shall read as follows: "Section 1459. The Wisconsin State Horticultural society is a body corporate by that name, with the general powers and privileges of a corporation so far as applicable. It shall be the duty of the society to aid in the formation and maintenance of county and local horticultural societies, to promote the horticultural interests of the state by holding meetings for discussion thereof, by the collection and dissemination of information in regard to the cultivation of fruits, flowers and trees adapted to the soil and climate of this state, and in other proper ways to advance the fruit and tree growing interests thereof; and for such purposes only it may take, hold and convey real and personal property, the former not exceeding five thousand dollars in value. For the purpose of aiding in the accomplishment of such objects the society shall be entitled to receive twenty-two hundred and fifty dollars annually from the state treasury, two hundred and fifty dollars of which shall be for the maintenance of experiment stations.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 8, 1901.

No. 315, S.] [Published May 10, 1901.

CHAPTER 321.

AN ACT providing for the appointment of deputy county superintendents of schools.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Deputy, how appointed; duties of. SECTION 1. The county superintendent of schools of any county or superintendent district may, by and with the consent of the county board, appoint a deputy, provided he has under his jurisdiction not less than one hundred schools. Such deputy shall at the time of his appointment hold at least a first grade county certificate and shall have taught in the public schools of the state for a period of not

less than eight months. Notice of such appointment shall be filed with the county clerk, and the county board of supervisors at any regular or at any special meeting may appropriate an annual salary of not more than six hundred dollars for services rendered by such deputy, under the direction of the county superintendent of schools. The deputy shall under the direction of the county superintendent be authorized to perform all the duties now required of the county superintendent, except the certification of teachers. The deputy shall be subject to removal by the county superintendent, notice of such removal to be filed in the office of the county clerk.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 8, 1901.

No. 17, A.] [Published May 10, 1901.

CHAPTER 322.

AN ACT to amend section 390 of the statutes of 1898, as amended by increasing the appropriations therein made, and to appropriate certain additional sums of money to the regents of the university of Wisconsin for the construction, furnishing and equipment of the new building, machine shops, foundry and laboratories of the college of engineering.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Annual state tax for university; amount of and how expended; loans. SECTION 1. Section 390 of the statutes of 1898, as amended is hereby amended by increasing the appropriation to the university fund income by the additional sum of twenty-one thousand dollars, and by increasing the portions of such income to be applied annually to the uses of the college of agriculture, and the college of mechanics and engineering, so that said section as amended shall read as follows: Section 390. There shall be levied and collected annually, a state tax amounting to the sum of two hundred and eighty-nine thousand dollars, which amount when so levied and collected is annually appropriated to

the university fund income, to be used as a part thereof for current or administration expenditures, and for the construction in the order of the greatest need therefor, of such additional buildings and works and the enlargement and repair of buildings and works as in the judgment of the regents shall be absolutely required, and can be completed within the appropriations so made; provided, that forty thousand dollars of the said annual appropriation shall be applied annually to the uses of the college of agriculture; also that twenty-two thousand five hundred dollars thereof shall be applied annually to the uses of the college of mechanics and engineering; also that thirty-five hundred dollars thereof shall be applied annually to the uses of the new school of commerce; also that two thousand dollars thereof shall be applied annually to the uses of the summer school of science, literature, language and pedagogy, in connection with the university, authorized by section 392a; also that one thousand dollars thereof shall annually be applied to the purchase of books for the use of the law library of the university; and, also, that thirteen thousand dollars of the said annual appropriation shall annually be applied and used in adding facilities for and establishing and maintaining courses of instruction in railway and electrical engineering in the university. The commissioners of public lands may direct the state treasurer from time to time to set apart by way of loan, to the fund known as the university fund income, for university uses, from uninvested moneys in the trust funds, for the period while so uninvested, such amount not exceeding at any time the sum of seventy-five thousand dollars, as in their judgment shall be prudent, such loans to be repaid to the trust funds from the appropriation hereinbefore made to the university fund income, with interest at the rate then required, on deposits made pursuant to sections 160a to 160f inclusive.

Appropriation for agricultural building; approval of governor to plans and estimates. SECTION 2. There is hereby appropriated from the general fund of the state out of any moneys, not otherwise appropriated, to the university fund income of the university of Wisconsin, for the construction, furnishing and equipment of an agricultural building, the sum of one hundred and fifty thousand dollars, and for the furnishing and equipment of the new building, machine shops, foundry and laboratories of the college of engineering, the sum of thirty thousand dollars; the said sums to be paid as soon as practicable after the collection of taxes, and said moneys to be expended in such manner and at such times for the purposes aforesaid as in the judgment of the regents shall seem best; provided, that no plan

or plans shall be adopted, and no contract or contracts shall be entered into by the board of regents of the university of the state of Wisconsin for the construction of any building or other structure or thing specified in this act, until such plans and contracts, with estimates of the total cost thereof, shall have been submitted to, and in writing approved by the governor of the state, who shall withhold such approval until he shall satisfy himself by a personal examination of the same, and by such other means as he in his discretion, may adopt, that any such building, structure or thing can and will be erected and fully completed according to such plans or contracts for the sum of money not exceeding the amount hereby appropriated for such particular purpose.

Duty of secretary of state. SECTION 3. The secretary of state is hereby authorized and directed to include in the appropriate tax levies, sums sufficient to satisfy the annual appropriations hereby made.

SECTION 4. This act shall take effect and be in force, from and after its passage and publication.

Approved May 8, 1901.

No. 638, A.] [Published May 10, 1901.

CHAPTER 323.

AN ACT to provide for the collection of the reasonable and proper expenses of burial of any deceased person in a county asylum for the chronic insane, whose support is chargeable to any other county, or to the state of Wisconsin.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Superintendent to give notice of death; to bury remains, when. SECTION 1. Whenever a patient in any county asylum for the chronic insane whose maintenance is chargeable to the state of Wisconsin, or to any other county, shall die, and if his relatives or friends will not make provision for his burial, it shall be the duty of the superintendent of such county asylum to give his remains a decent and proper burial. It shall be the duty of the

superintendent immediately after the death of said insane person to notify one or more of the relatives or friends of the deceased of his death, if such notification be possible by ordinary means.

Cost of burial, how collected. SECTION 2. The reasonable and proper expenses of such notification of relatives, if any, and of the burial, not exceeding in the aggregate, twenty dollars, shall be certified by the superintendent of the county asylum to the state board of control with the account for the maintenance of such deceased inmate, and the same shall then be collected from the county of which said insane person was an actual resident when committed, in the same manner as the cost of such maintenance is now collected of such county or received from the state, if the deceased shall be a state charge.

Powers of board of control over improper charge. SECTION 3. Should any bill for the burial expenses of any deceased, insane person, so certified by the superintendent of any county insane asylum appear unreasonable or improper, the state board of control may correct or reduce the amount of the same as said board may deem just.

SECTION 4. This act shall take effect and be in force, from and after its passage and publication.

Approved May 8, 1901.

No. 637, A.] [Published May 10, 1901.

CHAPTER 324.

AN ACT to repeal chapter 87 of the laws of Wisconsin for the year 1901, entitled, "an act to provide for the collection of the necessary expenses of interment of any deceased patient in a county asylum, whose support is chargeable to the state or to any county.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Repealing clause. SECTION 1. Chapter 87 of the laws of the state of Wisconsin for the year 1901, and published March 27 A. D. 1901, is hereby repealed.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 8, 1901.

No. 635, A.] [Published May 10, 1901.

CHAPTER 325.

AN ACT to regulate the taking of fish in certain waters in Fond du Lac county.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Prohibited methods of taking. SECTION 1. It shall be unlawful to fish for, catch or kill any fish in the waters of Wolf lake, Giltner lake or Long Lake and streams connected with said lakes in Fond du Lac county, by the use of any traps, spear, net or other device except hook and line.

Closed season. SECTION 2. It shall be unlawful to take, catch or kill or attempt so to do, any fish of any variety from waters mentioned in this act, between the fifteenth day of March and the fifteenth day of the following May of each year.

Penalty for violations. SECTION 3. Any person who shall violate any of the provisions of this act shall, on conviction thereof, be punished by a fine of not less than five dollars nor more than ten dollars or by imprisonment in the county jail not more than twenty days.

SECTION 4. This act shall take effect and be in force, from and after its passage and publication.

Approved May 8, 1901.

No. 631, A.] [Published May 10, 1901.

CHAPTER 326.

AN ACT to limit the amount of fees and expenses to be allowed in a contest for a seat in the legislature.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Expense to state of contestant or contestee limited to $300 each. SECTION 1. No sum in excess of three hundred dollars shall be allowed by the legislature to any contestant or contestee for any fees or expenses of any kind incurred in a contest over a seat in either branch of the legislature.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 8, 1901.

No. 633, A.] [Published May 10, 1901.

CHAPTER 327.

AN ACT to authorize the synod for the Norwegian Evangelical Lutheran Church of America to appoint two-thirds of the trustees of Galesville university.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Ex-officio members of board; term; vacancies. SECTION 1. The synod for the Norwegian Evangelical Lutheran Church of America is hereby authorized and empowered to appoint annually, five visitors who shall be ex-officio members of the board of trustees of the Galesville university and shall severally hold their office for the term of two years and until the election or appointment of their successors, provided that the members of said board of trustees, shall not exceed the number of fifteen at any one time; the first appointment made under this act to take

the place of the outgoing visitors in the year 1901; the second appointment under this act to take the place of the outgoing visitors in the year 1902. The said synod is further authorized to fill any vacancy in said board of trustees, occurring by resignation or otherwise, but such appointments shall be for the residue of the unexpired term only.

Conflicting laws repealed. SECTION 2. So much of any act as contravenes the provisions of this act, is hereby repealed.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 8, 1901.

No. 630, A.] [Published May 10, 1901.

CHAPTER 328.

AN ACT to amend section 3964 of the statutes of 1898, relating to the custody of minors.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Custody of ward; when father absconds, rights of mother. SECTION 1. Section 3964 of the statutes of 1898 is hereby amended by adding immediately after the word "education" in the fifth line of said section, the following words: "Provided that if the father shall abscond, leaving such minor with the mother, the mother shall have the same right to the custody of such minor as if the father were dead," so that when said section is so amended, it shall read as follows: Section 3964. Custody of ward etcetera. The father of the minor if living and in case of his death, the mother while she remains unmarried, being themselves respectively competent to transact their own business and not otherwise, shall be entitled to the custody of the person of the minor and the care of his education, provided that if the father shall abscond leaving such minor with the mother, the mother shall have the same right to the custody of such minor as if the father were dead. If the minor has no father or mother living and competent and suitable, the guardian so appointed

shall have the custody of the person of the minor and the care of his education, and in all cases the guardian shall have the care and management of the estate of his minor ward until such minor shall arrive at the age of twenty-one years or until the guardian shall be discharged according to law.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 8, 1901.

No. 606, A.] [Published May 10, 1901.

CHAPTER 329.

AN ACT to amend village charters, and providing for the election of trustees.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Election of president and trustees. SECTION 1. Villages that have a president and four or more trustees shall elect them as follows: The president shall be elected annually. On the first Tuesday in April 1902, one-half of the trustees shall be elected for a term of one year and one-half of the trustees shall be elected for a term of two years and each year thereafter one-half of the trustees shall be elected for a term of two years; provided that in villages having an odd number of trustees, the village board shall by ordinance determine the number to be elected in 1902 for a term of one year and the member [number] to be elected for a term of two years, which number shall be one-half the number of said body as near as may be. Annually thereafter the trustees of said villages shall be elected for two years, except elections to fill vacancies, which shall be for the unexpired term.

Conflicting laws repealed. SECTION 2. All acts or parts of acts interfering with this act are hereby repealed.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 8, 1901.

No. 512, A.] [Published May 10, 1901.

CHAPTER 330.

AN ACT to provide for the removal of assessors, members of boards of review and supervisors who violate the law in the discharge of their official duties, and to provide for filling the vacancy in the office caused by such removal.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Causes for removal of assessor. SECTION 1. Any assessor in addition to the penalties, forfeitures, liabilities or punishment prescribed by law, shall be subject to removal from office by the circuit judge in the mode hereinafter provided for one or more of the following causes: First: The wilful or intentional assessment of property at other than its true cash value with the intent to subject such property to more or less than its lawful share of taxes. Second: The wilful or intentional omission of taxable property from the assessment roll with intent to permit the same to escape taxation. Third: The wilful or intentional assessment of the property of one person at a lower value than the property of another or others whereby favoritism or discrimination between taxpayers in the district is shown. Fourth: The solicitation or receipt of any favor, reward, money or other thing of value of or from the owner of any taxable property in his assessment district for the assessment or valuation of property at other than its true cash value. Fifth: The solicitation or demand by any assessor of any owner of property liable to assessment in his assessment district to aid, assist or promote the business or interests of such assessor by means of which and by virtue of his office he shall gain or receive pecuniary profit or advantage that he could not otherwise have gained or received. Sixth: Whenever guilty of any violation of law in the valuation or assessment of property in his assessment district.

Causes for removal of member of board of review. SECTION 2. Any supervisor, alderman, trustee or other officer, while acting as a member of a board of review or of the county board of supervisors in addition to the penalties, forfeitures, liabilities and punishment now provided by law, shall be subject to removal from office for one or more of the following causes: First: The

willful or intentional valuation or equalization of property of persons or towns, cities or villages at other than the true cash value thereof, with the intent to subject the property of persons or of towns, cities or villages to more or less than their lawful share of taxes. Second: Aiding, abetting or assisting in any understanding, combination or conspiracy to value or equalize the property in towns, cities or villages in a county at other than the true cash value, with intent to subject the property in one or more towns, cities or villages to more or less than its lawful share of taxes for state or county purposes or both. Third: When guilty of any violation of law in the valuation or equalization of property in towns, cities or villages or in the discharge of official duties.

Petition and hearing for removal; duty of district attorney. SECTION 3. The presiding judge of the circuit court may in term time or vacation, by an order specifying the cause thereof, a copy of which he shall certify to the proper town, city or village clerk, remove any assessor, supervisor, alderman or trustee in his circuit for one or more of the causes specified in this act. Such removal shall be made only upon a duly verified petition signed by a free-holder and taxpayer of the county setting forth fully the charges preferred against such officer. The district attorney of the county upon complaint showing cause therefor, shall prepare the petition for removal and have the same duly verified by the complainant. The judge upon the presentation of such petition, shall by an order to show cause fix a time and place for hearing the matters alleged in the petition. A copy of the petition and order to show cause, shall be personally served upon such officer at least ten days before the time appointed for the hearing. The testimony shall be taken and the proceedings conducted summarily under such reasonable regulations as the judge shall prescribe. The district attorney shall attend the hearing and conduct the proceeding on behalf of the petitioner. The removal of such officer shall disqualify him from holding such office for three years from the date of the order of removal. In case of any such removal the judge shall appoint some competent person to fill the vacancy until his successor shall be chosen and qualify in the manner prescribed by law.

Dismissal of petition; collection of cost. SECTION 4. Whenever the presiding judge after a hearing on the merits, shall dismiss the petition and shall further find the complaint was willful and malicious and without probable cause, such judge shall order judgment in favor of the officer and against the petitioner

for ten dollars attorney's fees and for the costs and fees of witnesses and officers incurred on behalf of such officer. The judgment shall be signed by the clerk of the circuit court and entered and docketed in his office as the judgment of the circuit court in term. An execution may be issued thereon against the property of the petitioner in the same mode as upon a judgment entered in the circuit court in civil actions founded in tort. Upon the return of such execution unsatisfied in whole or in part, an execution against the person of the petitioner may be issued in the manner and with the force and effect of an execution against the person as provided in sections 2965 to 2975 inclusive, statutes of 1898 and acts amendatory thereof. Provided that in all other cases the judge may, in his discretion, order that the expenses incurred in procuring witnesses and other needed actual expenses, be paid out of the treasury of the county in which such assessor resides upon certificates of the clerk of said court.

SECTION 5. This act shall take effect and be in force, from and after its passage and publication.

Approved May 8, 1901.

No. 497, A.] [Published May 10, 1901.

CHAPTER 331.

AN ACT to provide for an appeal by any tax payer of a town from an award of damages for laying out, altering or discontinuing a highway in said town.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Proceedings for taking appeal; application for jury, service of notice for. SECTION 1. Any resident and tax payer of a town in which a highway shall be laid out, altered or discontinued, or if such highway is laid out, altered or discontinued on the town line between two towns or extending from one town into an adjoining town under sections 1272 and 1273 of the statutes of 1898, then any tax payer residing in either of said towns which is required by the award of damages made upon so laying out, altering or discontinuing such highway to pay damages therefor, may within forty days after the making of any order awarding

such damages, whether made in the first instance by the town board or town boards of said town or towns, or made after an appeal or appeals in such proceedings made in sections 1276 and 1281 of said statutes of 1898, believing such damages excessive, may appeal to a justice of the peace in the same or in an adjoining town in the county, or to the county judge of the same county for a jury to assess and appraise such damages sustained by any number or all the persons to whom damages were so awarded for lands in the town where he resides. Such application shall be in writing, describing the premises and naming the persons to whom damages were awarded to be paid by such town and the amount awarded to each by the town board or town boards, and shall also specify whether he appeals from the whole of such award or if only from a portion thereof the part from which he appeals. The party shall serve upon two of the supervisors of the town where he resides or of a town to which shall have been assigned the duty of paying the damages from the award of which he appeals, at least six days before the time fixed from making such application, a notice in writing specifying therein the name of the judge or justice to whom and the time and place when and where such application will be made.

Bond for costs; proceeding on appeal. SECTION 2. The person applying for such jury shall make and file with such application, a bond in all respects like that provided in section 1286 of the statutes of 1898, except that it shall be conditioned to pay all costs arising from such appeal, and appraisement of damages if such jury shall not award a less amount of damages in the aggregate of the items so appealed from, than was awarded by the supervisors of the town or towns. Upon such appeal the same proceedings shall be had in all respects, as are specified in section 1287 and 1288 of the statutes of 1898, except that there shall be no liability on the part of the appellant for the costs of the proceeding, except as specified in the bond required to be given by him by this section. An appraisement so made by the jury acting under the provisions of this act, shall measure and fix the liability of such town or towns for damages to be paid on the laying out, altering or discontinuing of the highway in question, to all parties awards to whom were included in such appeal proceedings, and for all purposes including the purposes and provisions of section 1291 of the statutes of 1898.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 8, 1901.

No. 461, A.] [Published May 10, 1901.

CHAPTER 332.

AN ACT to provide for the payment of road taxes in money in certain road districts.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Payment of highway taxes in money, in highway district, when. SECTION 1. In any town wherein a majority of the electors of said town have, under section 776 of the statutes of 1898, voted in favor of paying the highway taxes in labor, if a majority of the persons subject to assessment for highway taxes in any district in the said town shall before the time of assessment of highway taxes by the town board of the town, petition the town board in writing to have the highway taxes of said district paid in money, thereupon the town board of said town shall order the highway taxes of said district to be collected in money and expended in accordance with the provisions of chapter 52 of the statutes of 1898. The rate of assessment of highway taxes in such district paying in money shall be two-thirds of the rate as fixed by the town board for the said town.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 8, 1901.

No. 429, A.] [Published May 10, 1901.

CHAPTER 333.

AN ACT to amend section 16 of the statutes of 1898, relating to the division of election districts.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Division of districts, how made; order for; election officers; change of boundaries. SECTION 1. Section 16 of the statutes of 1898 is hereby amended to read as follows: Section 16.

Election districts as established may be divided into two or more districts in towns when the supervisors shall deem it for the convenience of the voters, and shall be divided when fifty or more electors thereof shall petition the board in writing therefor; and such division shall be made in wards, villages or towns when it shall appear that six hundred or more votes were cast in any such district therein at any election; provided, however, that no division shall be made in any town containing less than fifty sections of land unless it shall appear that four hundred or more votes were cast in such town at the last preceding general election. Such division shall be made at least four months prior to the next succeeding general election, and shall be so made that the districts shall be composed of compact, contiguous territory, no one of which shall contain over five hundred voters. The order or resolution making such division shall be filed with the proper city, village or town clerk who shall within five days after such filing, transmit a copy thereof to the county clerk, and in towns and villages the clerks thereof shall post copies of such order or resolution in five public places therein. The order or resolution shall designate the districts by numbers, and the place where the election in each shall be held, which place shall be fixed with a view to the convenience of the largest number of voters. The order dividing a town into districts shall designate the persons who shall act as election officers, if present in the district or districts thereby created. The persons so designated shall possess the qualifications hereinafter prescribed and represent the political parties in accordance with the provisions of this chapter respecting the officers of election in cities and villages. One of the persons named as inspectors for each district shall be designated as chairman. When a town is thus divided into election districts, the annual town meeting and all judicial and special town elections shall be held at election district number one; all other elections shall be held at the districts as divided. It shall be competent for town boards, village trustees or common councils to change the boundaries of election districts without creating new districts, subject to the foregoing conditions as to time, compactness of territory, filing of a copy of the order or resolution and posting copies thereof.

Conflicting laws repealed. SECTION 2. All acts and parts of acts contravening the provisions of this act, are hereby repealed.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 8, 1901.

ply with the provisions of this chapter; provided, that graduates of the several courses of the department of pharmacy of the university of this state and of other universities and colleges giving like courses, shall be entitled to such certificates upon proof of two years' practical experience in such a drug store or stores, the passing of such an examination and compliance with the other provisions of this chapter. Such certificates of registration shall also be issued to such persons of good moral character as, previous to the enactment of chapter 167 of the laws of Wisconsin for 1882, shall have had ten years' experience as pharmacist in a drug store or drug stores in a village or city within the state of Wisconsin containing a population of over five hundred, in which drug store or drug stores prescriptions of medical practitioners were during that period put up and compounded. Proof of the experience, graduation and character herein required shall be made to the satisfaction of the board. Every registered pharmacist shall be entitled to continue the practice of his profession by annually, at such time as the board of pharmacy may determine, making application thereto for the renewal of his certificate and paying the fee hereinafter required; if he fails to procure a certificate of renewal for sixty days after the secretary of the board shall have given him a second notice of the expiration of his registration, he shall cease to be such a pharmacist within the meaning of this chapter and shall not become such until he shall be examined as provided in this section.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 8, 1901.

No. 501, A.] [Published May 11, 1901.

CHAPTER 341.

AN ACT amending sections 1570, 1572, 1574, 1575, 1576, 1584e, 1584f and 1584i of the statutes of 1898 relating to the licensing of peddlers and transient merchants.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

License, who must have. SECTION 1. Section 1570 of the statutes of 1898 is hereby amended to read as follows: Section 1570. No person shall be allowed to travel from town to town, from house to house, or from place to place, in any town (the word town as used in this section shall include cities and villages), for the purpose of selling or exposing for sale, barter or exchange, at retail or to consumers, any goods, wares, merchandise, notions or other articles of trade whatsoever, whether by sample or otherwise, and whether any of said articles of trade are delivered at the time of sale or are to be delivered at some future day, unless he shall have obtained a license as a peddler as herein provided; but this chapter shall not prevent any manufacturer, mechanic, nurseryman or farmer from selling his work or production by himself or employee; provided, that such manufacturer or mechanic shall have actually manufactured the goods, and such nurseryman or farmer shall have actually raised the products so sold or offered for sale, or shall have owned and been in possession of the same for not less than three months next prior to said sale or offering for sale, or any patent right dealer from selling his own invention; or any persons from selling or offering to sell at wholesale or to dealers only, any goods, wares or merchandise whatsoever, or any fish dealers from selling fish or train boys from selling to persons traveling on railroad trains, nor persons from selling fruits or vegetables in cities of the first class without a license, provided that this section shall not be construed to require any keeper of a retail meat market, or dealer in agricultural machinery or farm implements, who keeps a permanent place of business, or his employes, to procure a license to sell such meats, machinery or implements as are kept in stock by him at such place; nor shall it apply to the soliciting of orders for sale or to the offering for sale by sample or otherwise, or any goods, wares, merchandise, notions or other articles of trade which are without the state at the time, and are thereafter to be shipped or sent direct to the person so ordering

No. 399, A.] [Published May 10, 1901.

CHAPTER 334.

AN ACT relating to the distribution of blue books and other public documents, and amendatory of sections 121, 355 and 357 of the statutes of 1898.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Supreme court reporter to have certain. SECTION 1. The supreme court reporter shall be entitled to receive, for the use of his office, one copy of each volume hereafter issued, of the sessions laws of the supreme court reports and of the blue book, the same to be delivered to him in the same way as to the officers mentioned in sections 121, 355 and 357 of the statutes of 1898.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 8, 1901.

No. 363, A.] [Published May 10, 1901.

CHAPTER 335.

AN ACT to prohibit the delivery or depositing of drugs or medicines upon the premises of another, and to enact section 4601d of the statutes of 1898.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Penalty for depositing deleterious drugs on door-steps, porches, etc. SECTION 1. A new section is hereby added to the statutes of 1898 to be numbered and read as follows: Section 4601d. Any person who shall by himself, his servant or agent or as the servant or agent of any other person leave, throw or deposit or have in his possession with intent to leave, throw or deposit upon the doorstep or premises owned or occupied by another or who

shall deliver to any child under the age of fifteen years, when not accompanied by an adult, any patent or proprietary medicine or any preparation, pill, tablet or drug that contains poison or other ingredients deleterious to health, as a sample or in any quantity whatever for the purpose of advertising or otherwise, shall be deemed guilty of a misdemeanor and shall be punished as provided in section 4601a.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 8, 1901.

No. 356, A.] [Published May 10, 1901.

CHAPTER 336.

AN ACT to authorize free public lectures on educational subjects.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Board of education empowered to secure evening lectures. SECTION 1. The board of education of any city is hereby authorized and empowered to provide for the employment of competent persons to deliver evening lectures on the natural sciences and kindred subjects in the public school buildings or other suitable places of said city.

Purchase of apparatus needed. SECTION 2. The said board of education shall have power to purchase the books, stationery, charts and other things necessary and expedient to successfully conduct said lectures which it shall have power to direct.

No admission fee to be charged; lectures, when to be given. SECTION 3. No admission fee shall be charged, and at least one school building in each ward of said city, where practicable, shall be designated by said board of education, for the purpose of carrying out the provisions of this act, and said lectures shall be delivered in such school buildings between the first day of October and the thirty-first day of March in each year, excepting the two weeks preceding and the week following the first

day of January in each year, which lectures shall be advertised in a newspaper published in said city at least one week in advance of the delivery thereof.

Appropriation for expense of. SECTION 4. The board of education is hereby authorized, previous to the first day of September in each year, to meet and provide the necessary appropriation for the purpose of carrying out the provisions of this act.

SECTION 5. This act shall take effect and be in force, from and after its passage and publication.

Approved May 8, 1901.

No. 345, A.] [Published May 10, 1901.

CHAPTER 337.

AN ACT to appropriate to the La Crosse interstate fair association the sum of money hereinafter specified.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Annual appropriation; what necessary to secure. SECTION 1. Upon the presentation to the secretary of state of the sworn statement of the president and secretary of the La Crosse interstate fair association heretofore established at La Crosse, Wisconsin, that said organization at its last annual fair or exhibition prohibited and excluded from its fair grounds and premises over which it had control, all gambling and gambling devices whatsoever and that said organization had not authorized any spirituous or malt liquors to be sold on said grounds during said exhibition or fair; the secretary of state shall during the first ten days of each February, draw his warrant in favor of the treasurer of said fair for two thousand dollars and ten per centum of the amount of premiums actually paid by the said fair at its last preceding annual fair; in computing the amount on which such percentage is to be paid, there shall not be included more than one thousand dollars of premiums or prizes for trials or exhibitions of speed of all classes in any year. This appropriation is made in lieu of any state aid to which said society might otherwise be entitled by any law of this state, provided that no

money shall be paid under the provisions of this act, for any year in which an annual fair or exhibition was not held.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 8, 1901.

No. 286, A.] [Published May 11, 1901.

CHAPTER 338.

AN ACT to provide for voting districts on Indian reservations and to provide election officers therefor.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Duty of county board. SECTION 1. It is hereby made the duty of the county board of every county within whose boundaries there is located an Indian reservation, or any part thereof, where the inhabitants of said reservation, or any part of them, have been declared to be citizens of the United States, to create by resolution to be adopted and filed in the office of the county clerk, on or before December 1, 1901 at least one election district on such reservation.

Petition for election officers; county judge to appoint. SECTION 2. Upon the written petition of twenty-five qualified electors from such an election district, recommending the names of qualified electors, of such district for appointment as election officers of such district, the county judge of the county in which such district is situated, on or before the first day of August 1902, shall appoint from the persons so recommended, three election inspectors, two clerks and two ballot clerks who shall hold their respective offices until their successors are duly elected, and have qualified, as hereinafter provided. Not more than two inspectors and one each of the clerks, shall belong to the same political party; such county judge shall file in the office of the county clerk, a certificate of such appointment and shall also forthwith deliver to each such appointee, or mail to him at his usual post office address, a written notice of such appointment.

Election of election officers. SECTION 3. At the general election to be held on the first Tuesday after the first Monday in November, A. D. 1902, and biennially thereafter, the qualified electors of said districts shall elect in the same manner as town officers are elected in fully organized towns, three election inspectors, two election clerks and two ballot clerks who shall be qualified electors of such district and who when they shall have qualified as by law required, shall act in place of those appointed by the county judge pursuant to this act. A certificate of their election, signed by the inspectors and clerks acting at such election, shall be filed in the office of the county clerk within thirty days after such election and a duplicate thereof delivered to, or left at the residence of the officers so elected within twenty days after such election. Such officers shall hold their respective offices for the term of two years and until their successors shall be elected and qualified.

Oath of office of election officers. SECTION 4. Every such election officer, within thirty days after receiving notice of his election or appointment as hereinbefore provided, shall file in the office of the county clerk of the county in which his district is located, his oath of office as prescribed in section 48 chapter 5 of Wisconsin statutes of 1898, and every such election officer who shall be chosen to fill a vacancy as hereinafter provided, shall take such oath before entering upon the discharge of his duties, and file the same in writing with the county clerk within twenty days thereafter.

Powers and duties of. SECTION 5. The election officers, by this act provided for, shall have all the powers, rights and privileges, perform all the duties and be subject to all the penalties, including those of boards of canvassers, of like election officers in fully organized towns. The election officers appointed by the county judge shall, at least four weeks before the date of the first caucus, primary election or general election at which the electors of such district are entitled to vote, fix the polling place of such district, which shall be as nearly centrally and conveniently located as practicable, and shall provide suitable election booths therefor, and shall also forthwith give public notice of such place, by publication of such notice in at least one weekly newspaper published in the county wherein said district is located, and by posting copies of such notices in at least four of the most public places in such district.

Vacancies, how filled. SECTION 6. In case of vacancy in the said board of election officers and in case of failure of either of

them to appear for the performance of their duties, as in subdivision 4, section 47 chapter 5 of the statutes of 1898 provided for, the vacancy shall be filled in the same manner as in said subdivision 4 or acts amendatory thereof provided.

Rights of electors in district. SECTION 7. The said election districts and the electors therein, shall have the same right to hold caucuses, primary elections and be represented at conventions preliminary to elections at which such electors are entitled to vote, as have the electors and districts in regulary organized towns.

Compensation of election officers. SECTION 8. Each election officer herein provided for, shall receive the sum of two dollars a day for each day actually and necessarily employed as such election officer, to be paid out of the county treasury on bills duly audited by the county board.

Election laws made applicable to. SECTION 9. All laws relating to the ballots, the manner of voting, and the canvass and return of votes applicable to election districts generally, shall be applicable to the election districts hereby provided for, so far as the same are not in conflict with this act.

SECTION 10. This act shall take effect and be in force, from and after its passage and publication.

Approved May 8, 1901.

No. 240, A.] [Published May 11, 1901.

CHAPTER 339.

AN ACT to amend section 335e, statutes of 1898, relating to printing for board of agriculture, horticultural and dairymen societies experiment station and conference of charities.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Printing of report of Wisconsin Teachers Association; illustrations for bulletins and reports. SECTION 1. Section 335e statutes of 1898 is hereby amended by inserting in the twenty-second line thereof, before the words "except as otherwise provided

et cetera," the following, "fifteen hundred copies annually of the proceedings of the Wisconsin teachers' association, provided that the whole number of printed pages shall not exceed two hundred, and the same shall be distributed by the secretary of the said Wisconsin teachers' association," so that said section when so amended shall read as follows: Section 335e. There shall also be printed biennially, five thousand copies of the report of the state board of agriculture, all of which shall be bound in cloth and shall contain such matter pertaining to the agricultural industries of the state as shall be deemed important; provided, the whole number of printed pages shall not exceed four hundred; and annually upon the approval of the commissioners of public printing, seven thousand copies of the transactions of the state horticultural society, four thousand of which shall be bound in cloth, to embrace such abstracts of reports of county and other horticultural societies and such matter pertaining to the horticultural interest of the state as shall be deemed important; provided, that the whole number of printed pages shall not exceed two hundred and fifty; eight thousand copies of the transactions of the state dairymen's association, to embrace such other matter pertaining to the dairy interests of the state as shall be deemed essential; provided, that the whole number of printed pages shall not exceed two hundred; fifteen thousand copies of the report of the agricultural experiment station of the state university; provided, that the whole number of printed pages shall not exceed three hundred and fifty; two thousand copies of the transactions of the state conference of charities and corrections, five hundred to be bound in cloth and the remainder in pamphlet form; provided that the whole number of printed pages shall not exceed two hundred and fifty; and the same shall be distributed by the state board of control and the president and secretary of the conference acting with it; fifteen hundred copies annually of the proceedings of the Wisconsin teacher's association, provided that the whole number of printed pages shall not exceed two hundred; and the same shall be distributed by the secretary of the said Wisconsin teachers' association. Except as otherwise provided two thousand copies of each of said reports shall be bound separately in cloth, all others singly in paper. Said commissioners may authorize the printing of half-tone and other cuts in the bulletins and reports issued by authority of law from the state university and in such other documents as they deem proper. If the printing of these is not provided for in the contract with the state printer, the commissioners may fix the price thereof at the lowest current rates. They may also have made a reasonable number of cuts for illustrating such bulletins.

Appropriation. SECTION 2. There is hereby appropriated from the general fund of the state, not otherwise appropriated, a sufficient sum of money to meet the provisions of this act.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 8, 1901.

No. 118. A,] [Published May 11, 1901.

CHAPTER 340.

AN ACT to amend section 1409d of the statutes of 1898, relating to the registration of pharmacists.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Registration as pharmacist; who to receive certificate; certificate of renewal. SECTION 1. Section 1409d of the statutes of 1898 is hereby amended by inserting after the word "chapter" in the thirteenth line of said section the following words, "such certificates of registration shall also be issued to such persons of good moral character as, previous to the enactment of chapter 167 of the laws of Wisconsin for 1882, shall have had ten year's experience as pharmacist in a drug store or drug stores in a village or city within the state of Wisconsin containing a population of over five hundred, in which drug store or drug stores, prescriptions of medical practitioners were, during that period, put up and compounded." Also by striking out the word "graduation" where used in the thirteenth line of said section and inserting in place thereof the words "graduation and character," so that said section as amended shall read as follows: Section 1409d. All person now registered as pharmacists by such board may continue to practice their profession by complying with the provisions of this chapter. Certificates of registration as pharmacists shall be issued to such persons of twenty-one years of age or over as shall have had five years' practical experience in a drug store or drug stores in which prescriptions of medical practitioners were compounded during that time and who shall pass a satisfactory examination under the board of pharmacy and com-

ply with the provisions of this chapter; provided, that graduates of the several courses of the department of pharmacy of the university of this state and of other universities and colleges giving like courses, shall be entitled to such certificates upon proof of two years' practical experience in such a drug store or stores, the passing of such an examination and compliance with the other provisions of this chapter. Such certificates of registration shall also be issued to such persons of good moral character as, previous to the enactment of chapter 167 of the laws of Wisconsin for 1882, shall have had ten years' experience as pharmacist in a drug store or drug stores in a village or city within the state of Wisconsin containing a population of over five hundred, in which drug store or drug stores prescriptions of medical practitioners were during that period put up and compounded. Proof of the experience, graduation and character herein required shall be made to the satisfaction of the board. Every registered pharmacist shall be entitled to continue the practice of his profession by annually, at such time as the board of pharmacy may determine, making application thereto for the renewal of his certificate and paying the fee hereinafter required; if he fails to procure a certificate of renewal for sixty days after the secretary of the board shall have given him a second notice of the expiration of his registration, he shall cease to be such a pharmacist within the meaning of this chapter and shall not become such until he shall be examined as provided in this section.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 8, 1901.

No. 501, A.] [Published May 11, 1901.

CHAPTER 341.

AN ACT amending sections 1570, 1572, 1574, 1575, 1576, 1584e, 1584f and 1584i of the statutes of 1898 relating to the licensing of peddlers and transient merchants.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

License, who must have. SECTION 1. Section 1570 of the statutes of 1898 is hereby amended to read as follows: Section 1570. No person shall be allowed to travel from town to town, from house to house, or from place to place, in any town (the word town as used in this section shall include cities and villages), for the purpose of selling or exposing for sale, barter or exchange, at retail or to consumers, any goods, wares, merchandise, notions or other articles of trade whatsoever, whether by sample or otherwise, and whether any of said articles of trade are delivered at the time of sale or are to be delivered at some future day, unless he shall have obtained a license as a peddler as herein provided; but this chapter shall not prevent any manufacturer, mechanic, nurseryman or farmer from selling his work or production by himself or employee; provided, that such manufacturer or mechanic shall have actually manufactured the goods, and such nurseryman or farmer shall have actually raised the products so sold or offered for sale, or shall have owned and been in possession of the same for not less than three months next prior to said sale or offering for sale, or any patent right dealer from selling his own invention; or any persons from selling or offering to sell at wholesale or to dealers only, any goods, wares or merchandise whatsoever, or any fish dealers from selling fish or train boys from selling to persons traveling on railroad trains, nor persons from selling fruits or vegetables in cities of the first class without a license, provided that this section shall not be construed to require any keeper of a retail meat market, or dealer in agricultural machinery or farm implements, who keeps a permanent place of business, or his employes, to procure a license to sell such meats, machinery or implements as are kept in stock by him at such place; nor shall it apply to the soliciting of orders for sale or to the offering for sale by sample or otherwise, or any goods, wares, merchandise, notions or other articles of trade which are without the state at the time, and are thereafter to be shipped or sent direct to the person so ordering

or purchasing said articles, nor to the doing of any act which shall interfere with interstate commerce; but it does apply to all persons required to obtain license as peddlers, including traveling vendors of extracts, salves, medicines and drug compounds; whether offered for sale by the patentee or manufacturers thereof, their employees or others, all who are transient merchants, traders or dealers, such as bring into any town, city or village any articles of trade, other than such as are excepted herein, for the purpose of selling the same in the manner provided in this section and who do not intend to become and do not become permanent merchants, traders or dealers in such town, city or village; permanent merchants, traders and dealers being here defined to be those who remain in the locality and engage in trade for a period of six months or more, continuously or who pay taxes upon their goods, wares, merchandise or other articles of trade in the town, city or village in which they are offered for sale, as dealers resident there, pay taxes.

Fees for license; local license; bond on declaration to be permanent merchant. SECTION 2. Section 1572 of the statutes of 1898 is hereby amended to read as follows: Section 1572. Every such applicant before he shall be entitled to such license, shall pay into the state treasury the following license fees: If he intends to travel on a bicycle or on foot, including railroads or other public conveyances, but carrying his goods, wares and merchandise with him, thirty dollars; if he intends to travel and carry his goods with a single horse or other animal carrying or drawing a burden, forty-five dollars; if he intends to travel with a vehicle drawn with two or more horses or other animals, seventy-five dollars; if intending to deal as a transient merchant, trader or dealer, fifty dollars; provided that any such applicant taking license as such transient merchant, trader or dealer, hereby intending to include as such any person who by demonstration, entertainment or performance seeks to attract an audience and to vend or sell his wares from a wagon, tent, platform or other like location, shall in addition to such amount, also pay to the treasurers of the town, city or village where he may sell or offer for sale any goods, wares or merchandise, not exceeding fifty dollars for each day that he may be engaged in selling or disposing of the same, to be determined by ordinance or resolution of such town, city or village, which ordinance or resolution shall provide when and in what manner such tax shall be paid, and provided that any person believed to be a transient merchant, who declares it to be his intention to become a permanent merchant, may be required as a condition of transacting business, to give a bond to the city, village or town to secure payment of the

state and local license, in the event that he fails to become a permanent merchant under this act, in a penal sum not exceeding five hundred dollars, to be determined by ordinance or resolution of such town, city or village with sureties to be approved by the clerk of said municipality, the said bond to be enforced in case of a breach thereof, by the proper legal officer of the city, village or town, and upon its collection the amount of the state license to be paid to the state treasury agent, and the remainder to be paid into the treasury of the city, village or town as otherwise provided herein for the disposition of the local license; and provided further that any peddler on entering any city, village or town for the purpose of selling or offering for sale his goods, wares or merchandise, shall, if required by any treasury agent or any official of any such city, village or town, appear before the clerk thereof, exhibit his state license and make affidavit that he is the person named in such license. After making such affidavit, such clerk shall issue a certificate setting forth that the above requirement has been complied with for such city, village or town, which certificate shall be good for thirty days from its date. Any peddler failing to comply with the above requirement shall be punished by fine not exceeding ten dollars or by imprisonment in the county jail for ten days or by both such fine and imprisonment.

License for circus, shows, etc. SECTION 3. Section 1574 of the statutes of 1898 is hereby amended so as to read as follows: Section 1574. Every owner, manager or agent of a caravan, circus or menagerie, before he shall be allowed to exhibit the same in this state shall procure a state license as a public showman in the manner hereinbefore provided for peddlers, and shall pay into the state treasury therefor the sum of one hundred dollars; and every owner or manager of a so-called sideshow, merry-go-around or ocean wave, and every person exhibiting for money any trained animals, wild animals or any object of curiosity shall procure a state license as a public showman and pay therefor twenty dollars.

Issue of license; to soldiers; disability license, examination for. SECTION 4. Section 1575 of the statutes of 1898 is hereby amended to read as follows: Section 1575. The secretary of state upon the payment of his fees, shall grant to every such applicant, upon the filing of his application, and the receipt of the treasurer, showing the payment of the proper license fees, a license under his official seal, signed by himself or his assistant, authorizing such licensee to travel and prosecute business in the manner stated in his application, for the term of one year; but

all licenses shall expire on the thirtieth day of April in each year and the amount due for licenses of peddlers and patent right dealers, shall be reckoned proportionately for that part of the year from the first day of the month in which the liability is incurred, to the first day of May following, provided the secretary of state may issue a like license to any applicant therefor to peddle, on foot or with one horse, or to deal in patent rights, who shall prove to his satisfaction that he served as a soldier in the United States army or navy, or in the quartermaster's or commissary's department thereof, during the late rebellion, and was so disabled as to render him unfit for hard manual labor in such service, and honorably discharged therefrom, without the payment of any license fees; provided further that the secretary of state may issue a like license to any applicant therefor to sell goods, wares or merchandise, on foot or with one horse, and wagon or bicycle who is blind or deaf and dumb or so crippled as to incapacitate him for manual labor without the payment of any license fees; except that the said secretary of state, upon the request of the treasury agent, may require any such applicant to submit to an examination by a physician designated by him, as to said applicant's crippled condition, when the same is not apparent, before issuing such license; the cost of such examination, not exceeding two dollars, shall be in all such cases borne by the applicant.

Penalties; fees to witnesses; evidence; license to be in possession. SECTION 5. Section 1576 of the statutes of 1898 is hereby amended to read as follows: Section 1576. Every person who shall be found traveling or trading contrary to the provisions of this chapter or to the terms of any license that may have been granted to him or shall when licensed as a transient merchant, trader or dealer, neglect or refuse to pay the per diem tax authorized by section 1572 according to the ordinance or resolution of the town, city or village passing the same, shall for each offense forfeit not less than fifty dollars nor more than one hundred dollars which the district attorney of the proper county shall sue for in the name of the state and cause to be collected and paid into the state treasury for the benefit of the school fund. The court imposing such forfeiture may order that there may be paid to the district attorney, out of the sum collected in the action prosecuted by him, a sum not exceeding fifteen per centum thereof, and to the witnesses or other persons furnishing the information of the violation of law, a sum not exceeding ten per centum of the sum collected, provided that if any person shall engage in trade in any town, city or village contrary to the provisions of this chapter respecting transient merchants, traders or

dealers, nothing herein contained shall prevent such town, city or village from suing for and collecting the amount of the per diem tax imposed upon such person for the use of such town, city or village, according to the provisions of chapter 142, and in addition thereto a forfeiture of a sum equal to the amount of such tax. Upon the trial of any such action the fact that such person has not been engaged in trade in the plaintiff town, city or village for the space of six months or has not paid any tax therein on his goods, wares and merchandise, as such resident dealers have done, shall be prima facie evidence that he is a transient merchant, trader or dealer and that he is liable to such per diem tax if it has not been paid. Every person having a license under the provisions of this chapter shall at all times when engaged in business as such peddler or merchant, have present with him such license, and every such person who shall be engaged in business, as such peddler or trader without having such license present with him or who shall refuse to produce it for examination when lawfully required to do so by the treasury agent or any special treasury agent or any sheriff, under sheriff, deputy sheriff, policeman, marshal, constable or any peace officer of any town, city or village shall be punished by a fine of not more than twenty dollars or by imprisonment in the county jail not more than twenty days or by both such fine and imprisonment, and any failure to produce such license when required by such officers shall be prima facie evidence that no such license has been obtained.

Application for state license for dealer in bankrupt stock, etc. SECTION 6. Section 1584e of the statutes of 1898 is hereby amended to read as follows: Section 1584e. The application for a state license under the preceding section shall be made to the secretary of state under oath, shall disclose the name and residence of the applicant, who shall, before making such a sale or advertising to do so, state in his original or supplementary application the details concerning such sale, including all the facts relating to the insurance, bankruptcy, insolvency or other reason for making the same, with sufficient fullness as to time, place and persons, to permit the verification thereof. Such statement shall be copied on the license issued by said secretary of state and all applications shall be filed by him and a record of all licenses issued be made. All files and records of the secretary of state and of the town, city and village clerks shall be in convenient form and open for public inspection. Any false statement in either such application or any failure of any licensee to comply with all the requirements of this section shall

render him liable to the same penalty as is imposed by section 1584i for making, without a license, such a sale as is within the preceding section.

Issue of license; what to cite. SECTION 7. Section 1584f of the statutes of 1898 is hereby amended so as to read as follows: Section 1584f. Upon application in proper form and the payment of one hundred dollars as a fee, the secretary of state shall issue to the applicant a license authorizing him to advertise and make such sales as are specified in section 1584d, for the term of one year from the date thereof unless such license be sooner surrendered for cancellation. Every license shall contain a copy of the application therefor. Such license shall not be transferable nor authorize more than one person, firm or corporation to sell or advertise goods, wares or merchandise in the manner specified, either by agent or clerk or in any other way than in the proper person of the licensee, except that when the licensee is a firm or corporation, the sale may be conducted by the members of the partnership or the officers of the corporation and any licensee may have the assistance of one or more persons who shall not however have authority to act for him in his absence. Any agent or employee who conducts or advertises a sale for his principal, shall be liable to the penalty hereinafter prescribed if such principal has failed to comply with any of the provisions of law.

Penalty for violations. SECTION 8. Section 1584i of the statutes of 1898 is hereby amended so as to read as follows: Section 1584i. Every person violating any provision of either of the five next preceding sections shall forfeit not less than one hundred dollars nor more than two hundred dollars, to be collected by the district attorney of the proper county and paid into the state treasury for the benefit of the school fund.

Conflicting laws repealed. SECTION 9. All other acts or parts of acts conflicting with the provisions of this act are hereby repealed.

SECTION 10. This act shall take effect and be in force, from and after its passage and publication.

Approved May 8, 1901.

No. 639, A.] [Published May 11, 1901.

CHAPTER 342.

AN ACT to authorize and empower high school boards to borrow money for school purposes in certain cases, and amending section 495 of the statutes of 1898.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Payment of loans, how made. SECTION 1. Amend section 495 of the statutes of 1898 by adding at the end thereof the following: For the purposes expressed in section 474 of the statutes of 1898 and chapter 40 of the laws of 1901, any high school district board is hereby authorized and empowered to borrow money whenever directed by the electors of such high school district assembled at a meeting regularly called and held for that purpose, pursuant to the provisions of section 427 of the statutes of 1898. The payment thereof shall be provided for by said board by a tax to be raised and certified as provided in this section.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 9, 1901.

No. 483, A.] [Published May 11, 1901.

CHAPTER 343.

AN ACT relating to naming farms.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Submission of question at town meeting. SECTION 1. The town clerk upon a petition signed by ten per cent. of the qualified electors of his town, filed with him at least thirty days before the annual town meeting, shall include in his notice of such

meeting the following question to be voted on: "Shall the farms in this town be named?" The vote shall be taken by ballot. Those favoring the proposition shall vote "Yes" and those opposing "No."

Duty of board if question carries. SECTION 2. If the proposition carry, the town board shall, within thirty days, adopt a by-law providing for the selection of names by the owners of farms the registry thereof with the clerk, the size, style of and method of placing proper signs upon farms and for the naming of and placing signs on farms which the owners thereof neglect to name.

Liability of owner and failure to comply. SECTION 3. Within thirty days after receiving written notice from the town clerk to comply with the provisions of said by-law, any owner or occupant of a farm failing so to do shall be liable to a penalty of ten dollars and costs to be recovered in an action brought in the name of the town. The word farm as used herein, shall be construed to mean such lands as are actually occupied for agriculture purposes by the owner or his tenant.

SECTION 4. This act shall take effect and be in force, from and after July 1, 1901.

Approved May 9, 1901.

No. 344, S.] [Published May 11, 1901.

CHAPTER 344.

AN ACT to amend section 388 of the statutes of 1898 as amended, by modifying the conditions of admission to the state university.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

No fees or tuition charged; attendance not to effect a residence. SECTION 1. Section 388 of the statutes of 1898 as amended is hereby amended by inserting after the word "admission" in the second line thereof, the words "at the beginning of any academic year, and by adding at the foot of said section the following words, to-wit, "Attendance at the university shall not of itself be

sufficient to effect a residence," so that said section as amended shall read as follows: "Section 388. No student who shall have been a resident of the state for one year next preceding his admission at the beginning of any academic year, shall be required to pay any fees for tuition in the university, except in the law department and for extra studies; the regents may prescribe rates of tuition for any pupil in the law department, or who shall not have been a resident as aforesaid and for teaching extra studies. Attendance at the university shall not of itself be sufficient to effect a residence."

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 9, 1901.

No. 258, S.] [Published May 14, 1901.

CHAPTER 345.

AN ACT to amend sections 491a, 491b, statutes of 1898, as amended by chapter 214, laws of 1899, relating to free high schools.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Certificate as to character of district. SECTION 1. Section 491a is hereby amended so as to read as follows: Section 491a. Whenever a free high school shall have been established and maintained as provided in sections 490 and 491 for at least three months, and the proper board shall have made the report required by section 496 in order to obtain the aid furnished by the state in maintaining free high schools, they shall append thereto a certificate that such school is established and maintained in a district composed of a town; of a town and an incorporated village within the town; of two or more towns; or of two or more towns and an incorporated village in one or in each of them.

Classification of schools; payment of aid pro rata, when. SECTION 2. Section 491b is hereby amended by striking out after the word "maintained" in the fourth line the following words: "in towns or in towns and villages where no graded school ex-

ists," and inserting in lieu thereof the words: "in the districts designated in section 491a as amended by this act," so that when amended said section shall read as follows: Section 491b. Upon receiving the reports and appended certificate provided for in section 496, it shall be the duty of the state superintendent to make a separate and distinct class of the schools thus established and maintained in the districts designated in section 491a as amended by this act, and each such school shall be entitled to receive from the general fund of the state, annually, one-half the amount actually expended for instruction therein; and said superintendent shall fix the amount to be paid to each of said high schools and certify the same to the secretary of state at the time and in the manner he is now required to fix and certify to him the amount to be paid to high school districts. On such certificate, at any time after the first day of December, the same shall be paid to the district treasurer out of the state treasury; but the whole amount so paid shall not exceed twenty-five thousand dollars in any one year to this class of free high schools, and if more is demanded by such districts they shall be paid proportionally. The secretary of state shall annually include and apportion in the state tax all such sums as shall have been so paid, in addition to the amount authorized to be paid in aid of free high schools by section 496 and in addition to all other sums to be levied for the year.

Proceedings to secure state aid; duty of state superintendent; of secretary of state. SECTION 3. Section 496 statutes, as amended by chapter 214, laws of 1899, is hereby amended by striking out after the word "schools" where it first occurs in the last sentence of section one of said chapter 214, laws of 1899, the following words: "in towns having no graded schools by section 491b," and inserting in lieu thereof the words: "as provided by section 491b, as amended by this act," so that said section when so amended shall read as follows: Section 496. Any high school district which shall have established a free high school according to the provisions of these statutes, and shall have maintained the same for not less than three months in any school year, shall be entitled to receive from the general fund of the state annually one-half the amount actually expended for instruction in its high school during such year over and above the amount required by law to be expended for common school purposes, but not to exceed in one year five hundred dollars to one district; provided, this limitation shall not apply to the class of high schools designated in section 491a, as amended by this act. To obtain such aid the high school board, or in cities not under a county superintendent, the president and secretary of the board

of education and the treasurer, shall on or before the first day of November, report in duplicate to the state superintendent, under their oaths, the amount actually expended for instruction during the previous school year, specifying the several items thereof, with the date and the object of each fully. Thereupon said superintendent shall fix the amount to be paid such district and certify the same to the secretary of state with one of such reports annexed; provided, the state superintendent may withhold such certificate from any district for reasons based upon failure to comply with the law relating to free high schools which reason he shall transmit to the school board thereof on or before the thirteenth day of the next succeeding June. On such certificate, at any time after the first day of December, the certified amount shall be paid to the district treasurer out of the state treasury. The secretary of state shall annually include and apportion in the state tax all such sums as shall have been so paid. Whenever, by any neglect or omission, any free high school shall fail to have apportioned to [it] its share of state aid, the state superintendent may, after the time hereinbefore fixed for such apportionment by him, fix an amount ten per centum less than the amount which such school would have been entitled to had it complied with the provisions of this section, and certify the same to the secretary of state with the report of such district annexed thereto, and the secretary of state shall thereupon draw his warrant for such amount or amounts in favor of such district. The whole amount annually paid under the provisions of this section shall not exceed seventy-five thousand dollars, and if more be demanded by such districts they shall be paid proportionally; provided, that if the whole amount authorized to be paid annually in aid of free high schools as provided by section 491b as amended by this act, is not demanded or expended under the provisions of that section then the unexpended balance of the amount therein annually authorized to be paid in aid of such schools may be added to and apportioned among the free high schools provided for in sections 490 and 491; but no more than one hundred thousand dollars shall be apportioned to both classes of schools in any one year.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved May 13, 1901.

No. 269, S.] [Published May 14, 1901.

CHAPTER 346.

AN ACT to amend section 160f of the statutes of 1898 relating to the state funds and interest thereon.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Statements from state depositories; penalty for false returns; disposition of interest. SECTION 1. Section160f of the statutes of 1898 is hereby amended by striking out all thereof after the word "perjury" where the same occurs in the eighteenth line thereof, and inserting in lieu thereof the following: "The total interest paid by all depositories shall be apportioned by the state treasurer among, added to and become a part of the several funds as follows: That received from the general fund deposit to the general fund; that received from the school fund and the school income fund deposits, to the school income fund and the school income fund deposits to the school income fund; that received from the university fund and the university income fund deposits, to the university income fund; that received from the normal school fund and the normal school income fund deposits, to the normal school income fund; that received from the agricultural college fund and the agricultural college income fund, to the agricultural college income fund, according to the average amount of each such fund on hand the first day of each month." So that said section when amended shall read as follows: "Section 160f. Every state depository shall, on the first day of each month, and oftener when required, file with the secretary of state a sworn statement of the amount of public moneys deposited with it, and shall within ten days after the first day of each January, April, July and October make a full statement of all deposits and payments of state moneys during the preceding quarter, together with a computation and statement of the interest earned thereon, computed upon the daily balance on deposit, which interest shall thereupon be added to and become part of the deposit balance; such statement shall be accompanied by an affidavit of the president and cashier of such depository to the effect that it is in all respects true and correct, and that, except for the interest therein credited, neither said depository nor any officer, agent or employee thereof, nor any person in its behalf, has in any way

whatsoever given, paid or rendered, or promised to give, pay or render to the state treasurer or to any other person any money, credit, service or benefit whatsoever by reason or in consideration of the deposit with it of any portion of the state moneys. Any person who shall make any false statement in any affidavit required by this section shall be guilty of perjury. The total interest by all depositories shall be apportioned by the state treasurer among, added to and become a part of the several funds as follows: That received from the general fund deposit to the general fund; that received from the school fund and the school income deposits, to the school income fund; that received from the university fund and the university income fund deposits, to the university income fund; that received from the normal school fund and the normal school income fund deposits, to the normal school income fund; that received from the agricultural college fund and the agricultural college income fund, to the agricultural college income fund, according to the average amount of each such fund on hand the first day of each month."

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 13, 1901.

No. 383, S.] [Published May 14, 1901.

CHAPTER 347.

AN ACT to regulate and fix legal qualifications for kindergarten teachers in Wisconsin.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Holder of diploma to receive certificate, when. SECTION 1. The holder of a diploma granted by any incorporated kindergarten training school whose course of instruction is fully and fairly equivalent to the course of instruction in kindergarten training prescribed by the board of regents of normal schools in any of the state normal schools, may present such diploma, together with evidence of the required standing of the kinder-

garten training school issuing such diploma, to the state board of examiners. The applicant shall furnish therewith testimonials of good moral character and of two years' successful teaching in a kindergarten in Wisconsin after the date of such diploma. The holder of any such diploma recommended favorably by the board shall be entitled to receive a certificate issued by the state superintendent, qualifying the holder to teach in any public kindergarten in the state until the same shall be annulled. The holder of a diploma granted upon the completion of a course of study accredited as herein provided, upon which a state certificate has not been issued, upon the recommendation of the board of examiners made in pursuance of such examination as to learning, moral character and ability to teach as said board may require, may be given a special license by the state superintendent to teach for two years in any public kindergarten in the state.

Unlimited certificates. SECTION 2. An unlimited state certificate qualifying the holder to teach in any public kindergarten in the state until annulled, shall be issued by the state superintendent to any person recommended for such certificate by the state board of examiners, after such examination as shall satisfy the examiners that the applicant possesses the requisite scholarship in all the branches prescribed in the course of instruction for kindergarten training by the board of regents of normal schools for any of the state normal schools; provided, further, that the applicant shall furnish to the examiners such evidence of good moral character, experience, and success in teaching as they may require.

Three grades of kindergarten teachers established; examinations for. SECTION 3. In addition to the foregoing there are hereby established three grades of certificates for kindergarten teachers, to be known as first, second, third. Every applicant for a kindergarten certificate shall be examined in the subjects hereinafter mentioned for the several grades respectively, as follows: For the third grade in orthoepy, orthography, reading, writing, arithmetic, English grammar, physiology and hygiene with special reference to the physiology and hygiene of childhood, drawing, music, juvenile literature, and theory and art of kindergarten teaching. For the second grade, in all the foregoing, and also in general literature and the elements of botany. For the first grade, in all the foregoing, and also in the history of education as related to the development of the kindergarten, and in the elements of zoology. If found qualified, the applicant shall receive the certificate of appropriate grade. The

third grade certificate shall entitle the holder to teach in any kindergarten for such period not more than one year, as may be specified therein, in any town or city in the superintendent district in which the applicant is examined, except that it may be limited by the county or city superintendent to one town or school therein. A second grade certificate shall entitle the holder to teach in any kindergarten in any town or city in such superintendent district, and be in force for two years from its date. A first grade certificate shall entitle the holder to teach in any kindergarten in any town or city in such superintendent district, and be in force for four years from its date; but the county or city superintendent may limit the same to one year and remove the limitations upon satisfactory evidence that the holder has successfully taught a public kindergarten in this state for at least six months. If a person pass a satisfactory examination by any county or city superintendent and obtain a certificate of either grade, and propose to teach in another superintendent district, it shall be lawful for the superintendent holding the papers written at the examination for for such certificate, upon the request of any county or city superintendent, to transfer such papers to him, and if found satisfactory, a certificate thereon, of the proper grade, to be conterminous with the original certificate, may be issued by him, to the same effect as though he had examined the applicant himself.

Legally qualified teacher must hold certificate. SECTION 4. After July 1, 1902, no person shall be deemed a legally qualified kindergarten teacher in the state of Wisconsin who does not hold a certificate granted by the proper officer under the provisions of this act; provided that nothing herein shall operate to invalidate kindergarten certificates issued under the authority of the board of education of any city prior to the passage of this act; nor to affect the validity of kindergarten certificates issued under the provisions of section 458g of statutes, and provided further, that the provisions of this act shall not apply to cities of the first class.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved May 13, 1901.

No. 273, S.] [Published May 14, 1901.

CHAPTER 348.

AN ACT to amend section 419a, of the statutes of 1898, relating to the alteration of joint school districts.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Application for change of boundaries, how made; meeting for; appeals. SECTION 1. Section 419a, of the statutes of 1898, is hereby amended so as to read as follows: Section 419a. Whenever an application in writing, describing and clearly setting forth by use of usual and definite terms, and having for its purpose the alteration of the boundaries of any joint district, signed by not less than two-thirds of the voters residing in the joint district, or one-third of the voters residing in the territory comprising all the districts to be affected by said proposed alterations, shall be presented to the chairman of the town, the mayor of the city or president of the board of trustees of the village, in which the school house of such joint district may be situated, such chairman, mayor of the city, or president of the village board, shall, upon receipt of such application or petition, fix a time for the joint meeting of the town boards of supervisors, and the city council, or the village board of trustees of all the municipalities in any way affected by said proposed change, which time shall not be less than ten or more than twenty days after the presentation to said officer of such petition or application. The officer to whom the applications or petition is presented shall cause a written notice of the time and place of such meeting to be given to each supervisor, member of the city council, or member of the village board of trustees entitled to be present at such meeting, which notice shall be served at least five days prior to the date fixed therefor. Such meeting shall be held at the school house in such joint district unless some other convenient place shall be designated in the notice. If the chairman of the town, mayor of the city or president of the board of village trustees, as the case may be, to whom such application shall be presented, neglect or refuse to fix the time and place or to give notice for the meeting as provided by this section, or if the supervisors, the city council, or the board of village trustees, or a majority thereof, of any town, city or village in any way interested or affected by the proposed change of school district

boundaries, neglect or refuse to be present at such meeting, or being present, neglect or refuse to hear and vote upon the application before them, the application shall be deemed denied, and an appeal may be had therefrom in similar manner, and with like effect as in other cases of denial. The provisions of section 418, 419, 422, and 497 shall, as far as may be applicable, apply to the above proceedings.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 13, 1901.

No. 619, A.] [Published May 14, 1901.

CHAPTER 349.

AN ACT providing for fire escapes on buildings.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Fire escapes how placed; in cities to have stand pipe. SECTION 1. Every inn, hotel, boarding house, store-house, tenement house, every building now or hereafter used, in whole or in part, as a public building, public or private institution, office or store building, school house, theater, public hall, place of assemblage, or place of public resort more than two stories high and containing above the ground floor, sleeping apartments, offices, an assembly hall, work-rooms or a room intended to be used as a place of amusement, all or any of which rooms are designed for occupancy by twenty-five or more persons, shall be provided with one or more fire proof stairways or ladders on the outside thereof, placed in such position and as many in number as may be designated by the chief of the fire department or fire marshal of the village or city in which the building is located, or by the state factory inspector. If more than one stairway or ladder is required, each side of such inn, hotel, boarding house, store-house, tenement building, every building now or hereafter used, in whole or in part as a public building, public or private institution, office or store building, school house, theater, public hall, place of assemblage or place of public resort shall be provided

herewith. Such stairways or ladders shall connect the cornice with the top of the first story of any such building, by a wrought iron platform, balcony, piazza or other safe and convenient resting place on a level with the floor of each story so connected, and of sufficient length to permit access to the same from not less than two windows of each story; they shall be convenient of access from the interior of the building, commodious in size and form and of sufficient strength to be safe for the purpose of ascent and descent. In cities and villages where there is a water supply for fire purposes, there shall be attached to such stairs or ladders a three-inch wrought iron standpipe extending from a point within five feet of the ground to a point three feet above the roof or cornice at each story above the first and on the roof there shall be attached a two and one-half inch angle hose valve with male hose connection, and a double or siamese "Y" female hose connection at the base of the pipe, with threads to conform to the size and pattern used by the fire department where the building is located.

Elevator shafts to be fire-proof. SECTION 2. The inside walls or casings of every elevator used for the conveyance of passengers to and from the upper stories of any such building as is within the preceding section, shall be constructed of fire proof material throughout.

Night watchman; posting of directions to means of safety. SECTION 3. In all such buildings as are described in section 1, which contain one hundred rooms or more, not less than one efficient watchman shall be on duty from 10 o'clock p. m. until 5 o'clock a. m. during each and every night that any such building is occupied. There shall be posted in every room in every building designated in said section, in legible print a brief and accurate statement of all means of safety and escape therefrom in case of fire, and a red light shall be kept burning all night at the head of each stairway above the first floor, also on each floor above the first, at or near the exit to such fireproof stairway or ladder.

Who to enforce act; duty of district attorney. SECTION 4. It shall be the duty of the commissioner of labor, factory inspector, assistant factory inspector, chief or marshal of the fire department of every city or village to enforce the provisions of the foregoing sections. Any person who shall fail to comply with the provisions of said sections within ninety days after being notified in writing to do so by either of said officers whose duty it may be to give notice, shall be punished according to law. Said commissioner of labor, factory inspector, assistant factory in-

spector, chief or marshal upon receiving notice or obtaining knowledge that any person within his jurisdiction has not so complied with said provisions, shall file a written statement to that effect with the proper district attorney, which, being done, he shall prosecute such person.

Penalty for failure to comply with act. SECTION 5. The owner, tenant or other person in charge of any building within either of the four next preceding sections, who shall fail or neglect, after a written notice has been given him in accordance with the next preceding section, to comply with any of the provisions of said sections, which are applicable to the building owned, leased or in his charge, shall be deemed guilty of a misdemeanor and be punished by a fine not exceeding one thousand dollars or by imprisonment in the county jail not longer than ninety days.

Repeal of statutes. SECTION 6. The section of printed matter in brevier type and enclosed in brackets at the top of page 1187 of the statutes of 1898 and designated as section 1636ee, in section 25 of chapter 351 of the laws of 1899 and section 1636f, section 1636g, section 1636h, and section 1636i of the statutes of 1898 are hereby repealed.

SECTION 7. This act shall take effect and be in force, from and after its passage and publication.

Approved May 13, 1901.

No. 617, A.] [Published May 14, 1901.

CHAPTER 350.

AN ACT authorizing and directing the repair of the steps and windows of the capitol, the repair or placing of a new roof on the same, to change the outside doors to swing out, to complete the sodding and grading of the park and to construct anew or repair certain parts of the drives therein and making an appropriation therefor.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Purpose of appropriation. SECTION 1. The superintendent of public property is hereby authorized and directed by and with the consent of the governor, to repair and put in good condition the steps and windows of the capitol building, to repair the roof of the same or if deemed more expedient, to put on a new roof, to change the outside doors to swing out, to complete the grading and sodding of the capitol park and to repair or construct anew such parts of the drives therein as shall be deemed advisable.

Appropriation clause. SECTION 2. There is hereby appropriated out of any money in the general fund, not otherwise appropriated, a sufficient amount of money to carry out the purposes of this act, not exceeding the sum of eight thousand dollars.

SECTION 3. This act shll take effect and be in force, from and after its passage and publication.

Approved May 13, 1901.

No. 400, A.] [Published May 14, 1901.

CHAPTER 351.

AN ACT to amend sub-sections 15 and 16 of section 430 and sections 524 and 526 of the statutes of 1898 relating to the transportation of pupils to schools and to maintenance of sub-districts in towns for certain purposes.

The people of the State of Wisconsin represented in senate and assembly do enact as follows:

Voters may empower board to suspend school in sub-district. SECTION 1. Sub-section 15 of section 40 of the statutes of 1898 is hereby amended so as to read, when amended, as follows: Sub-section 15. To authorize the district board to suspend the district school for such length of time as they may deem expedient, and to the best advantage of the district and pupils residing therein, and to arrange with any adjoining or other district or districts, for the instruction of persons of school age residing in the district, during the time when the school may be suspended, and to provide for the transportation of any, or all pupils residing therein, to and from the school house in the district with which the arrangement for their instruction is made, and to include in the tax voted at the annual meeting, the amount of the expense incurred in providing for the transportation, and for the tuition of pupils in an adjoining or other district or districts.

May vote tax for transportation of pupils. SECTION 2. Sub-section 16 of section 430, statutes of 1898 is hereby amended so as to read, when amended, as follows: Sub-section 16. To vote a tax for the purpose of providing for the free transportation of any or all children residing in the district, by most direct route, to and from the school house in the district.

School buildings, sites, etc.; transportation. SECTION 3. Section 524, of the statutes of 1898 is hereby amended so as to read, when amended, as follows: Section 524. The board may, out of the funds provided by the town for that purpose, purchase or hire sites, houses and rooms for the use of the schools, fence and improve the same, and upon such sites build, enlarge, alter, improve and repair school houses, outhouses or other buildings for

school purposes, provide suitable water supply and arrange for the transportation of any or all pupils who live in said town, to and from any school or schools which the said board shall have established, maintained and designated, and whenever any school house or site is no longer needed for school purposes, may sell and convey the same, such conveyance to be executed by the president and secretary of the board.

Maintenance and government of schools; suspension of, in sub-districts. SECTION 4. Section 526 of the statutes of 1898 is hereby amended so as to read, when amended, as follows: Section 526. Said board shall establish and maintain such, and so many schools in the several sub-districts under their charge, as they may deem requisite and expedient. There shall be at least one common school in each sub-district, provided that this provision may be suspended for any sub-district by the state superintendent, whenever the town board of school directors shall present to him satisfactory evidence that they have made proper provision for the transportation of pupils residing in any sub-district, to and from the school or schools in another sub-district or sub-districts, as the case may be. The board shall have the supervision and management of all the schools, with full power to adopt, enforce, modify and repeal from time to time, all rules and regulations not inconsistent with the law, necessary for their organization, gradation, and control, and for the instruction given therein, and to establish and enforce proper penalties for the violations of such rules and regulations.

Conflicting laws repealed. SECTION 5. All acts and parts of acts in conflict with the provisions of this act, are hereby repealed .

SECTION 6. This act shall take effect and be in force, from and after its passage and publication.

Approved May 13, 1901.

No. 294, A.] [Published May 14, 1901.

CHAPTER 352.

AN ACT to amend section 1543 of the statutes of 1898, in relation to vagrancy, and declaring who are such.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Vagrants, who are. SECTION 1. Section 1543 of the statutes of 1898 is hereby amended by striking out the words "and not giving a good account of themselves" in the fourth line of said section, and by inserting after the word "alms" in the eighth line of said section the following words: "or fortune tellers and other like imposters or gamblers, and persons having no visible occupation and unable to give a satisfactory account of themselves, and every female who shall be found wandering about the streets and addressing male persons for the purpose of soliciting the commission of any lewd, indecent or unlawful act, or for the purpose of enticing any male person into a house of prostitution, bed house, room or other place for any unlawful purpose, or any female inmate of any bawdy house, or house of prostitution, or assignation house or brothel, or any common prostitute who shall be found wandering about the streets or loitering in or about any restaurant, lodging house, saloon or place where intoxicating liquors are sold," so that said section, when so amended, shall read as follows: Section 1543. All idle persons who, not having visible means to maintain themselves, live without employment; all persons wandering abroad and lodging in groceries, beer houses, outhouses, market places, sheds or barns or in the open air, all common drunkards; all lewd, wanton, lascivious persons in speech or behavior; all persons wandering abroad or begging or who go about from door to door or place themselves in the streets, highways, passages or other public places to beg or receive alms, or fortune tellers and other like imposters or gamblers, and persons having no visible occupation and unable to give a satisfactory account of themselves, and every female who shall be found wandering about the streets and addressing male persons for the purpose of soliciting the commission of any lewd, indecent or unlawful act, or for the purpose of enticing any male person into a house of prostitution, bed house, room or other place for any unlawful purpose, or any female inmate of any bawdy house, or house of pros-

titution, or assignation house or brothel, or any common prostitute who shall be found wandering about the streets or loitering in or about any restaurant, lodging house, saloon or place where intoxicating liquors are sold, shall be deemed vagrants.

Section 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 13, 1901.

No. 295, A.] [Published May 14, 1901.

CHAPTER 353.

AN ACT to amend section 4556a of the statutes of 1898, in relation to vagrancy and declaring who are vagrants.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Punishment for vagrancy. SECTION 1. Section 4556a of the statutes of 1898 is hereby amended by striking out the words "and who does not give a good account of himself," in the fourth and fifth lines of said section, and by inserting after the word "alms" in the eighth line of said section the following words: "or fortune tellers and other like imposters or gamblers and persons having no visible occupation and unable to give a satisfactory account of themselves, and every female who shall be found wandering about the streets and addressing male persons for the purpose of soliciting the commission of any lewd, indecent or unlawful act, or for the purpose of enticing any male person into a house of prostitution, bed house, room or other place for any unlawful purpose, or any female inmate of any bawdy house, or house of prostitution, or assignation house or brothel, or any common prostitute who shall be found wandering about the streets or loitering in or about any restaurant, lodging house, saloon or place where intoxicating liquors are sold." And said section is further amended by striking out the words "which he is not an inhabitant" in the ninth line thereof, and inserting in lieu thereof the following words, "this state," so that said section when so amended shall read as follows: Section 4556a. Every male person sixteen years of age or over, who is

idle and without visible means to maintain himself, who wanders abroad and lodges in groceries, beer houses, outhouses, market places, sheds, barns or in the open air, or who is a common drunkard or lewd, wanton, lascivious in speech or behavior, or who wanders abroad or begs, or who goes about from door to door, or places himself in the streets, highways, passages or other public places, to beg or receive alms; or fortune tellers and such other like imposters or gamblers, and persons having no visible occupation and unable to give a satisfactory account of themselves, and every female who shall be found wandering about the streets and addressing male persons for the purpose of soliciting the commission of any lewd, indecent or unlawful act, or for the purpose of enticing any male person into a house of prostitution, bed house, room or other place for any unlawful purpose, or any female inmate of any bawdy house, or house of prostitution or assignation house or brothel, or any common prostitute who shall be found wandering about the streets or loitering in or about any restaurant, lodging house, saloon, or place where intoxicating liquors are sold, shall when found in any such condition or doing any of these acts in any town, city or village of this state be deemed a vagrant or tramp, and shall be punished by imprisonment at hard labor in the county jail not exceeding three months or by solitary confinement therein not less than three days nor more than ten days.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 13, 1901.

No. 273, A.] [Published May 14, 1901.

CHAPTER 354.

AN ACT to regulate artesian water supply and to provide for damages sustained to adjoining land owners.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Owner to prevent loss or waste of water. SECTION 1. Where there are two or more artesian wells in any vicinity or neighborhood, one or more of which are operated or used by any person or owner, the person or owner of such well shall use due care and diligence to prevent any loss or waste or unreasonable use of any water therein contained or flowing from the same, as would deprive or unnecessarily diminish the flow of water in any artesian well, to the injury of the owner of any other well in the same vicinity or neighborhood.

Liability to owners of other wells. SECTION 2. Any person who shall needlessly allow or permit any artesian well owned or operated by him, to discharge greater quantities of water than is reasonably necessary for the use of such person so as to materially diminish the flow of water in any other artesian well in the same vicinity, shall be liable for all damages which the owner of any such other well shall sustain.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 13, 1901.

No. 198, A.] [Published May 14, 1901.

CHAPTER 355.

AN ACT to appropriate to the Wisconsin state board of agriculture the sum of money therein named.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Appropriation clause. SECTION 1. There is hereby appropriated out of any money in the general fund, not otherwise appropriated, to the Wisconsin state board of agriculture the sum of twenty-five thousand dollars.

Board to keep account of expenditures and report. SECTION 2. A correct account shall be kept of the expenditure of such sum of money by such state board of agriculture, and a statement of the same shall be embodied in its next annual report to the governor of the state.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 13, 1901.

No. 197, A.] [Published May 14, 1901.

CHAPTER 356.

AN ACT to amend section 1458d of the statutes of 1898, relating to the Northern Wisconsin state fair and providing for an increased appropriation therefor.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Annual appropriation increased to $3,250; proceedings to secure. SECTION 1. Section 1458d is hereby amended bv striking out the words "twenty-five hundred" where they occur in said section and inserting in lieu thereof the words "thirty-two hundred and

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[Published May 14, 1901.

APTER 357.

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Wisconsin represented in senate and
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SECTION 1. Section 9, of chapter
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fifty," and by adding at the end of said section 1458d the following: "and further provided that said Northern Wisconsin state fair shall receive no money under the provisions of this act for any year that an annual fair is not held;" so that when so amended said section shall read as follows: Section 1458d. Upon the presentation to him of the sworn statement of the president and secretary of the northern Wisconsin state fair heretofore established at Chippewa Falls, that said organization at its last annual fair or exhibition prohibited and excluded from its fair grounds and premises over which it had control, all gambling and gambling devices whatsoever and that said organization had not authorized or allowed any spirituous, malt, ardent or intoxicating liquors or drinks to be sold on said grounds during the year, the secretary of state shall, during the first ten days of each February, draw his warrant in favor of the treasurer of said fair for thirty-two hundred and fifty dollars and ten per centum of the amount of premiums actually paid by said fair at its last preceding annual fair; in computing the amount on which such percentage is to be paid, there shall not be included more than one thousand dollars of premiums, or prizes for trials or exhibitions of speed of all classes in any year, provided that no other agricultural society in Chippewa county shall receive any money from the state; and further provided that said Northern Wisconsin state fair shall receive no money under the provisions of this act for any year that an annual fair is not held.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 13, 1901.

No. 179, S.] [Published May 14, 1901.

CHAPTER 357.

AN ACT relating to school boards and common and high schools in cities of the first class.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Superintendent, how elected; duties of; certificate and promotion of teachers; removals. SECTION 1. Section 9, of chapter 186, of the laws of 1897, as amended by chapter 58, laws of 1899, is hereby amended so as to read as follows: Section 9. The board of school directors shall elect by ballot on the first Tuesday of March next following the date of their first appointment, and every third year thereafter, a person of suitable learning and experience in the art of instruction and practical familiarity with the most approved methods of organizing and conducting a system of schools, for superintendent of schools, and said superintendent shall hold his office, for three years, except in case of removal as hereinafter provided. The superintendent of schools shall, under the direction of the board, have general supervision of the public schools in the cities aforesaid and of the manner of conducting and grading them, and of the teachers. He shall appoint, subject to confirmation by the board, an assistant superintendent and such other assistants and supervisors as may be authorized by the board; provided, that the creation of any new office or the increasing of any salary of any officer, teacher or employe, by the said board of school directors, shall after the adoption of any resolution therefor by said board be submitted to the mayor of any such city who may exercise the veto power with respect thereto, in the same manner and with like effect as he now may exercise such power with respect to resolutions of the common council of any such city. Such superintendent shall be an advisory member of every committee of the board, except at times where any inquiry into his acts or investigation of his official conduct shall be under consideration by such committee. A committee, consisting of the president of the board, and four members of the board selected by the president shall examine, certificate, employ, classify, transfer and promote teachers. The action of such committee shall be subject to amendment and confirmation by the board. The president of the board and four members of the board thereof, to be

selected by the president, shall constitute a committee to select and determine courses of study for the schools, and the text books to be used therein. The action of such committee shall be subject to amendment and confirmation by the board. The president together with four members of the board selected by him, acting as a committee, may by a majority vote dismiss teachers and janitors for misconduct, incompetency, inefficiency or inattention to duty. The action of such committee shall be subject to amendment, rejection, or confirmation by the board. The assistant superintendent and other supervisors and assistants heretofore referred to, shall hold their several positions during the term for which the superintendent is elected, except in case of removal. The salaries of the superintendent, assistant superintendent and other assistants shall be fixed by the board.

Secretary of board; bond; duties as to school census. SECTION 2. Section 10 of said chapter 186, laws of 1897, as amended by chapter 58, laws of 1899, is hereby amended so as to read as follows: Section 10. The board shall also appoint, as a vacancy shall occur, some suitable person to act as secretary of the board, who shall receive a salary to be fixed by such board. It shall be his duty to attend the meetings of the board to keep a record of the proceedings, and a full and fair account of all receipts and expenditures of the board, and to do and perform such other duties as shall be required of him by said board. The secretary of the board shall, before entering upon the duties of his office, execute a bond to the city for which he is appointed, in such form and penalty and with such conditions as the board shall prescribe, with sureties to be approved by said board, which bond shall be filed with and kept in the office of the city clerk of said city, and the board shall require security to be given for the faithful performance of his duties by any officer or employe of said board, in such form and amount as the board shall deem best, and may at any time require of any officer or employe additional bonds and sureties, in its discretion. The secretary of the board shall also take the annual enumeration of the children of school age in the city, required by law, and shall at the same time collect such further statistics and information relating to schools and to the population entitled to school privileges in said city as may be directed and required by the board, and he shall receive for such service a compensation or fee of two cents per capita upon the entire enumration of persons between the ages of four and twenty, residing in such city, to be audited by the board and paid out of the funds provided for the support of the schools.

Levy of school tax how disbursed. SECTION 3. Section 17, of chapter 186, laws of 1897, as amended by chapter 58, laws of 1899, is hereby amended so as to read as follows: Section 17. The common council shall, in addition to the funds hereinbefore provided for the support and maintenance of the public schools levy and collect a tax upon all the taxable property of said city, at the same time and in the same manner as other taxes are levied and collected by law, for such amount of money as may be determined and reported to the common council in September in such year, for the purpose of defraying the expense of repairs of school buildings, fixtures, grounds and fences, and replacing broken or worn out furniture. Said tax, when collected, shall be set aside for the purpose herein specified, to be disbursed only upon the order of the board of school directors, upon bills incurred and allowed by them for the purposes herein mentioned. Such tax shall not exceed one-fourth of a mill upon the dollar of the total assessed valuation of all property, real and personal, in said city, subject to taxation.

Conflicting laws repealed. SECTION 4. All acts and parts of acts contravening the provisions of this act are hereby repealed.

SECTION 5. This act shall take effect and be in force, from and after its passage and publication.

Approved May 13, 1901.

No. 278, S.] [Published May 15, 1901.

CHAPTER 358.

AN ACT revising the laws of this state relating to the protection of fish and game and amending sections 1498a, 1498i, 1498m, 1498p, 4560d, 4560j, 4561a, 4562d, 4563b, 4564, 4565d, 4567 and 4567a, of the statutes of 1898, section 14, chapter 311, laws of 1899 and sections 4—14—14a—18—19 and 20 of chapter 312 laws of 1899.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Special deputy wardens, appointment of. SECTION 1. Section 1498a of the statutes of 1898 as amended by section 1, chapter 312, laws of 1899, is hereby amended so as to read as follows:

Section 1498a. The said warden may appoint, by and with the approval of the governor, two special deputy wardens for each congressional district. He may also appoint as many additional special deputy wardens as may be necessary to carry out the provisions of this act.

Per diem and expenses of special deputy wardens. SECTION 2. Section 4 of chapter 312 of the laws of 1899 is hereby amended so as to read as follows: Section 4. The two special deputy wardens appointed for each congressional district, and the additional special deputy wardens who may be appointed shall each receive a per diem to be fixed by the state warden, by and with the approval of the governor, which per diem shall include pay for such days as each such deputy shall be under the direct order of the state warden to perform services in the enforcement of the fish and game laws, and upon certificate of said warden that such services have been actually rendered at his instance and under his direction. In addition to the per diem provided for, such deputies shall receive their actual necessary expenses incurred while working under the direction of the state warden, which expenses shall be paid upon vouchers therefor approved by the governor and countersigned by said state fish and game warden.

Hunting licenses, who to issue; character of. SECTION 3. Section 1498p, of the statutes of 1898, as amended by section 10, chapter 312, laws of 1899, is hereby amended so as to read as follows: Section 1498p. The state fish and game warden shall issue licenses for the hunting of game in the manner and under the conditions hereinafter stated. All such licenses issued to non-residents shall be countersigned by the secretary of state. All fees for such licenses shall be paid to the secretary previous to the issuing thereof, and shall be by him paid to the state treasurer. The state fish and game warden shall procure the printing of all licenses for the hunting of game, and a record of such licenses issued to non-residents shall be kept in the office of the fish and game warden. All licenses to persons who are residents of the state shall be numbered consecutively at the time they are printed, and shall be furnished by the state fish and game warden to the clerks of the several counties in the state. Such clerks shall issue the same upon the terms and conditions hereinafter provided. Two forms of licenses for non-residents shall be issued, to-wit: One for hunting of deer, and the other for the hunting of game protected by the laws of the state with the exception of deer, provided, that a person holding a license for the hunting of deer is hereby authorized to hunt

for any game protected by the laws of the state during the seasons and under the conditions prescribed by law, and the termination of said license shall be stated on its face. Not more than one license shall be issued to the same person in any one year. The state fish and game warden may issue duplicates for licenses lost.

Resident to have license in possession while hunting; who may hunt without. SECTION 4. Section 14a, chapter 312 of the laws of 1899 is hereby amended so as to read as follows: Section 14a. Any resident of this state who shall pursue, hunt or kill any of the birds, fowls or animals protected by the laws of this state without being at the time of such pursuing, hunting or killing in possession of a license duly issued to him, which license shall cover the period in which he shall be so pursuing, hunting or killing such game, or who shall furnish to another person, during the open season for such game or permit such another person to have, during such season a license issued to him, shall be fined not less than fifty dollars nor more than one hundred dollars, or be imprisoned in the county jail not less than two months nor more than six months. Provided nothing in this section shall be construed so as to prohibit persons residents of this state under section 1498s of the statutes of 1898, under eighteen years of age from hunting, without the aid of a dog or dogs, protected game birds other than aquatic fowl, rabbits or squirrels during the open season therefor, without the payment of a license fee, on land owned or occupied as a homestead farm by their parents.

Non-resident to have license in possession while hunting. SECTION 5. Section 14, chapter 312 of the laws of 1899 is hereby amended so as to read as follows: Section 14. Any non-resident of this state who shall pursue, hunt or kill any of the birds, fowls or animals protected by the laws of this state without being at the time of such pursuing, hunting or killing in possession of a license duly issued to him, which license shall cover the period in which he shall be so pursuing hunting or killing such game, or who shall furnish to another person, during the open season for such game or permit such another person to have, during such season, a license issued to him, shall be fined not less than fifty dollars nor more than one hundred dollars, or be imprisoned in the county jail not less than two months nor more than six months.

Hunting license fund. SECTION 6. All moneys sent to the state treasurer in payment of hunting and fishing licenses and

fifty," and by adding at the end of said section 1458d the following: "and further provided that said Northern Wisconsin state fair shall receive no money under the provisions of this act for any year that an annual fair is not held;" so that when so amended said section shall read as follows: Section 1458d. Upon the presentation to him of the sworn statement of the president and secretary of the northern Wisconsin state fair heretofore established at Chippewa Falls, that said organization at its last annual fair or exhibition prohibited and excluded from its fair grounds and premises over which it had control, all gambling and gambling devices whatsoever and that said organization had not authorized or allowed any spirituous, malt, ardent or intoxicating liquors or drinks to be sold on said grounds during the year, the secretary of state shall, during the first ten days of each February, draw his warrant in favor of the treasurer of said fair for thirty-two hundred and fifty dollars and ten per centum of the amount of premiums actually paid by said fair at its last preceding annual fair; in computing the amount on which such percentage is to be paid, there shall not be included more than one thousand dollars of premiums, or prizes for trials or exhibitions of speed of all classes in any year, provided that no other agricultural society in Chippewa county shall receive any money from the state; and further provided that said Northern Wisconsin state fair shall receive no money under the provisions of this act for any year that an annual fair is not held.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 13, 1901.

No. 179, S.] [Published May 14, 1901.

CHAPTER 357.

AN ACT relating to school boards and common and high schools in cities of the first class.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Superintendent, how elected; duties of; certificate and promotion of teachers; removals. SECTION 1. Section 9, of chapter 186, of the laws of 1897, as amended by chapter 58, laws of 1899, is hereby amended so as to read as follows: Section 9. The board of school directors shall elect by ballot on the first Tuesday of March next following the date of their first appointment, and every third year thereafter, a person of suitable learning and experience in the art of instruction and practical familiarity with the most approved methods of organizing and conducting a system of schools, for superintendent of schools, and said superintendent shall hold his office, for three years, except in case of removal as hereinafter provided. The superintendent of schools shall, under the direction of the board, have general supervision of the public schools in the cities aforesaid and of the manner of conducting and grading them, and of the teachers. He shall appoint, subject to confirmation by the board, an assistant superintendent and such other assistants and supervisors as may be authorized by the board; provided, that the creation of any new office or the increasing of any salary of any officer, teacher or employe, by the said board of school directors, shall after the adoption of any resolution therefor by said board be submitted to the mayor of any such city who may exercise the veto power with respect thereto, in the same manner and with like effect as he now may exercise such power with respect to resolutions of the common council of any such city. Such superintendent shall be an advisory member of every committee of the board, except at times where any inquiry into his acts or investigation of his official conduct shall be under consideration by such committee. A committee, consisting of the president of the board, and four members of the board selected by the president shall examine, certificate, employ, classify, transfer and promote teachers. The action of such committee shall be subject to amendment and confirmation by the board. The president of the board and four members of the board thereof, to be

selected by the president, shall constitute a committee to select and determine courses of study for the schools, and the text books to be used therein. The action of such committee shall be subject to amendment and confirmation by the board. The president together with four members of the board selected by him, acting as a committee, may by a majority vote dismiss teachers and janitors for misconduct, incompetency, inefficiency or inattention to duty. The action of such committee shall be subject to amendment, rejection, or confirmation by the board. The assistant superintendent and other supervisors and assistants heretofore referred to, shall hold their several positions during the term for which the superintendent is elected, except in case of removal. The salaries of the superintendent, assistant superintendent and other assistants shall be fixed by the board.

Secretary of board; bond; duties as to school census. SECTION 2. Section 10 of said chapter 186, laws of 1897, as amended by chapter 58, laws of 1899, is hereby amended so as to read as follows: Section 10. The board shall also appoint, as a vacancy shall occur, some suitable person to act as secretary of the board, who shall receive a salary to be fixed by such board. It shall be his duty to attend the meetings of the board to keep a record of the proceedings, and a full and fair account of all receipts and expenditures of the board, and to do and perform such other duties as shall be required of him by said board. The secretary of the board shall, before entering upon the duties of his office, execute a bond to the city for which he is appointed, in such form and penalty and with such conditions as the board shall prescribe, with sureties to be approved by said board, which bond shall be filed with and kept in the office of the city clerk of said city, and the board shall require security to be given for the faithful performance of his duties by any officer or employe of said board, in such form and amount as the board shall deem best, and may at any time require of any officer or employe additional bonds and sureties, in its discretion. The secretary of the board shall also take the annual enumeration of the children of school age in the city, required by law, and shall at the same time collect such further statistics and information relating to schools and to the population entitled to school privileges in said city as may be directed and required by the board, and he shall receive for such service a compensation or fee of two cents per capita upon the entire enumration of persons between the ages of four and twenty, residing in such city, to be audited by the board and paid out of the funds provided for the support of the schools.

Levy of school tax how disbursed. SECTION 3. Section 17, of chapter 186, laws of 1897, as amended by chapter 58, laws of 1899, is hereby amended so as to read as follows: . Section 17. The common council shall, in addition to the funds hereinbefore provided for the support and maintenance of the public schools levy and collect a tax upon all the taxable property of said city, at the same time and in the same manner as other taxes are levied and collected by law, for such amount of money as may be determined and reported to the common council in September in such year, for the purpose of defraying the expense of repairs of school buildings, fixtures, grounds and fences, and replacing broken or worn out furniture. Said tax, when collected, shall be set aside for the purpose herein specified, to be disbursed only upon the order of the board of school directors, upon bills incurred and allowed by them for the purposes herein mentioned. Such tax shall not exceed one-fourth of a mill upon the dollar of the total assessed valuation of all property, real and personal, in said city, subject to taxation.

Conflicting laws repealed. SECTION 4. All acts and parts of acts contravening the provisions of this act are hereby repealed.

SECTION 5. This act shall take effect and be in force, from and after its passage and publication.

Approved May 13, 1901.

No. 278, S.] [Published May 15, 1901.

CHAPTER 358.

AN ACT revising the laws of this state relating to the protection of fish and game and amending sections 1498a, 1498i, 1498m, 1498p, 4560d, 4560j, 4561a, 4562d, 4563b, 4564, 4565d, 4567 and 4567a, of the statutes of 1898, section 14, chapter 311, laws of 1899 and sections 4—14—14a—18—19 and 20 of chapter 312 laws of 1899.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Special deputy wardens, appointment of. SECTION 1. Section 1498a of the statutes of 1898 as amended by section 1, chapter 312, laws of 1899, is hereby amended so as to read as follows:

Section 1498a. The said warden may appoint, by and with the approval of the governor, two special deputy wardens for each congressional district. He may also appoint as many additional special deputy wardens as may be necessary to carry out the provisions of this act.

Per diem and expenses of special deputy wardens. SECTION 2. Section 4 of chapter 312 of the laws of 1899 is hereby amended so as to read as follows: Section 4. The two special deputy wardens appointed for each congressional district, and the additional special deputy wardens who may be appointed shall each receive a per diem to be fixed by the state warden, by and with the approval of the governor, which per diem shall include pay for such days as each such deputy shall be under the direct order of the state warden to perform services in the enforcement of the fish and game laws, and upon certificate of said warden that such services have been actually rendered at his instance and under his direction. In addition to the per diem provided for, such deputies shall receive their actual necessary expenses incurred while working under the direction of the state warden, which expenses shall be paid upon vouchers therefor approved by the governor and countersigned by said state fish and game warden.

Hunting licenses, who to issue; character of. SECTION 3. Section 1498p, of the statutes of 1898, as amended by section 10, chapter 312, laws of 1899, is hereby amended so as to read as follows: Section 1498p. The state fish and game warden shall issue licenses for the hunting of game in the manner and under the conditions hereinafter stated. All such licenses issued to non-residents shall be countersigned by the secretary of state. All fees for such licenses shall be paid to the secretary previous to the issuing thereof, and shall be by him paid to the state treasurer. The state fish and game warden shall procure the printing of all licenses for the hunting of game, and a record of such licenses issued to non-residents shall be kept in the office of the fish and game warden. All licenses to persons who are residents of the state shall be numbered consecutively at the time they are printed, and shall be furnished by the state fish and game warden to the clerks of the several counties in the state. Such clerks shall issue the same upon the terms and conditions hereinafter provided. Two forms of licenses for non-residents shall be issued, to-wit: One for hunting of deer, and the other for the hunting of game protected by the laws of the state with the exception of deer, provided, that a person holding a license for the hunting of deer is hereby authorized to hunt

for any game protected by the laws of the state during the seasons and under the conditions prescribed by law, and the termination of said license shall be stated on its face. Not more than one license shall be issued to the same person in any one year. The state fish and game warden may issue duplicates for licenses lost.

Resident to have license in possession while hunting; who may hunt without. SECTION 4. Section 14a, chapter 312 of the laws of 1899 is hereby amended so as to read as follows: Section 14a. Any resident of this state who shall pursue, hunt or kill any of the birds, fowls or animals protected by the laws of this state without being at the time of such pursuing, hunting or killing in possession of a license duly issued to him, which license shall cover the period in which he shall be so pursuing, hunting or killing such game, or who shall furnish to another person, during the open season for such game or permit such another person to have, during such season a license issued to him, shall be fined not less than fifty dollars nor more than one hundred dollars, or be imprisoned in the county jail not less than two months nor more than six months. Provided nothing in this section shall be construed so as to prohibit persons residents of this state under section 1498s of the statutes of 1898, under eighteen years of age from hunting, without the aid of a dog or dogs, protected game birds other than aquatic fowl, rabbits or squirrels during the open season therefor, without the payment of a license fee, on land owned or occupied as a homestead farm by their parents.

Non-resident to have license in possession while hunting. SECTION 5. Section 14, chapter 312 of the laws of 1899 is hereby amended so as to read as follows: Section 14. Any non-resident of this state who shall pursue, hunt or kill any of the birds, fowls or animals protected by the laws of this state without being at the time of such pursuing, hunting or killing in possession of a license duly issued to him, which license shall cover the period in which he shall be so pursuing hunting or killing such game, or who shall furnish to another person, during the open season for such game or permit such another person to have, during such season, a license issued to him, shall be fined not less than fifty dollars nor more than one hundred dollars, or be imprisoned in the county jail not less than two months nor more than six months.

Hunting license fund. SECTION 6. All moneys sent to the state treasurer in payment of hunting and fishing licenses and

all moneys sent to the state treasurer by any game warden as the proceeds of any sale of confiscated fish or game shall be set aside as a fund to be known as the hunting license fund.

Prohibited methods of fishing; use of set lines; license for, who to issue. SECTION 7. Section 4560d, of the statutes of 1898 as amended by section 3, chapter 311 of the laws of 1899 is hereby amended so as to read as follows: Section 4560d. Any person who shall, except as provided herein, set, place or use in any of the inland waters of the state any net of any variety, or any trap, or any snare of any kind, which shall be intended to or might catch, take or kill fish, shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, and be imprisoned until such fine be paid, not exceeding ninety days; provided, that dip nets may be used in said waters to take whitefish between the first day of November and the succeeding eighth day thereof, and in taking shiners, chubs, dace, suckers, carp, redhorse, sheepshead, dogfish, garfish, sturgeon, catfish and bullheads in any stream not frequented by or containing trout of any variety. Set lines may be used in the waters of Big Wolf river in Waupaca county, in Lake Winnebago, Lake Butte des Morts, Lake Winneconne, Lake Poygan, and the river connecting said lakes and also in the waters of the Wisconsin river from the north line of Sauk county to its mouth and also in the waters of the Black river from the north line of Jackson county to its mouth and also in the waters of the Mississippi river, for the purpose of taking catfish or sturgeon, under the following restrictions: Any person who shall put out a set line shall first procure from the county clerk of any county bordering on such waters a license for that purpose, which shall be issued to him the same as hunting licenses are issued. He shall also procure from the said county clerk and attach to each one hundred yards or fraction thereof, of set line, a metal tag. The license shall be numbered and the metal tag issued to any license holder shall be stamped to correspond with the number of the license. The licensee shall pay one dollar for such license and twenty-five cents for each metal tag. The county clerk shall remit to the state treasurer ninety cents for each license so issued and he may retain for each tag issued the sum of five cents, provided he furnishes the tags. Otherwise the state fish and game warden shall furnish the tags when demanded. The moneys received by the county clerk or the state fish and game warden under this section shall be remitted to the state treasurer and become a part of the hunting license fund. All licenses issued under this section shall expire on the last day of April of each year. No person shall assist in setting or tak-

ing up a set line who does not possess a license. Any person who shall set such line shall maintain at each end thereof a white flag not less than sixteen inches square, and such flag shall be placed at least two feet above the water, and shall be numbered with figures at least three inches in size to correspond with the number of the license possessed by the person setting the line. Any game warden or deputy game warden or person having the powers of the game warden within the provisions of the laws of this state, is authorized to raise at any time, with as little damage as may be, any set line to see if the same is set according to the provisions of this act. The state game warden is hereby authorized and required to furnish to county clerks, upon application, the licenses and tags provided for herein. Any person who shall be convicted of violating the provisions of this act shall, if he possess a license under the provisions of this act, forfeit the same and shall not be granted another license for the term of three years and shall be further punished by a fine or imprisonment as provided by this section. Set lines set in violation of the provisions of this act shall be considered public nuisances.

Netting whitefish or trout; close season for. SECTION 8. Section 4561a of the statutes of 1898 is hereby amended so as to read as follows: Section 4561a. Any person who shall capture or take, by means of a net of any kind, in any of the outlying waters of the state, any white fish or trout between the first day of November and the fifteenth day of December next succeeding, shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars and be imprisoned until such fine be paid, not exceeding ninety days. All boats used in violation of this act and all fish taken in violation thereof may be seized, confiscated and sold by any warden as provided by law.

Close season for deer; prohibited methods of hunting; penalty. SECTION 9. Section 4562d of the statutes of 1898, as amended by section 9, chapter 311 of the laws of 1899 is hereby amended so as to read as follows: Section 4562d. Any person who shall take, pursue or kill, by any kind of device or contrivance whatever, or pursue with intent to take, kill or worry any deer, buck, doe or fawn, between the thirtieth day of November and the succeeding tenth day of November in the year following (all the year excepting the last twenty days of November being thereby intended to be included in the closed or prohibited season for such animals), or who shall hunt deer, buck, doe or fawn, at any time with dogs or in the night time, or in either of the counties

of Sauk, Adams, Columbia, Richland and Marquette at any other time than during the last ten days of November of each year, or in either of the counties of Fond du Lac, Sheboygan, Manitowoc and Calumet at any time, or who shall kill or capture any deer, buck, doe or fawn, or attempt to kill or capture such, in the waters or on the ice of any of the streams, lakes or ponds within the jurisdiction of this state at any time, or who shall take, catch or kill, or attempt to take, catch or kill any deer, buck, doe or fawn, by means of any pit, pitfall or trap at any time; or who shall make use of any artificial light in hunting deer; or have in possession the skin of any deer when it is in its red coat, or of any fawn when it is in its spotted coat; or who shall kill more than two deer in any one year, shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment in the county jail not less than two months nor more than six months, or by both such fine and imprisonment in the discretion of the court.

Close season for pheasant, quail, etc., penalty. SECTION 10. Section 4564 of the statutes of 1898 is hereby amended so as to read as follows: Section 4564. Any person who shall take, catch or kill any Mongolian, Chinese or English pheasant, or quail of any variety before September first, 1903 shall be punished by a fine of not less than twenty-five dollars nor more than fifty dollars or by imprisonment in the county jail not less than thirty nor more than sixty days in the discretion of the court.

Hunting of rabbit with ferret prohibited; otter, marten, muskrat, etc.; close season; penalty. SECTION 11. Section 4565c of the statutes of 1898 is hereby amended so as to read as follows: Section 4565c. It shall be unlawful for any person to hunt, take, kill or pursue any rabbit at any season of the year with a ferret; or to hunt, take, kill or pursue any rabbit or squirrel between the first day of May and the succeeding first day of July; or to hunt, take, kill, trap or pursue any otter, marten, fisher or beaver between the first day of May and the following first day of February; or destroy or molest any muskrat house at any time. All guns, traps, boats or other implements used in violating this law and all game taken in violation thereof may be seized, confiscated and sold by any warden as provided by law. Any person who shall violate any of the provisions of this section shall be punished by a fine of not less than twenty dollars nor more than fifty dollars or by imprisonment in the county jail not more than sixty days.

Prohibited methods of hunting aquatic birds. SECTION 12. Section 4563b of the statutes of 1898, is hereby amended so as to read as follows: Section 4563b. Any person who shall use, in the pursuit of any wild duck, goose, brant or other aquatic bird, upon the waters of this state, any sneak boat, or boat propelled by an oar or oars operated from the stern of such boat, or any sail boat, or boat propelled by steam, naphtha, electric or other engine or machinery, or any battery, sink box or similar device, or who shall kill or attempt to kill or to pursue, while occupying or using any boat, box or other device outside or beyond the natural covering of reeds, grass or other vegetation growing above the water, any wild goose, duck, brant or other aquatic bird, or who shall construct or use for the purpose of hunting, outside of such natural covering or upon the ice, any fixed or artificial blind or ambush, shall be punished by a fine of not less than ten dollars nor more than fifty dollars, or by imprisonment in the county jail not more than thirty days or by both such fine and imprisonment; provided, that it shall not be unlawful to hunt, kill or pursue any aquatic fowl on the open waters of this state between sunrise and sunset of the same day with a paddle boat or row boat propelled with an oar or oars from the side or sides of such boat; provided, however, that in the waters of Lake Koshkonong in the counties of Dane, Jefferson, Rock, and in the water of Fox Lake in Dodge county, no float, paddle boat, scull boat or sneak boat, shall be used in the pursuit of any aquatic fowl beyond the point where the hunter may by law set his decoys.

Shipment of game or fish prohibited, except as personal baggage; penalty. SECTION 13. Section 18, chapter 312 of the laws of 1899 is hereby amended so as to read as follows: Section 18, chapter 312 of the statutes of 1899. It is unlawful and is prohibited for any person a resident of this state to ship within this state any birds, fowls or animals protected by the laws of this state except when the same shall be in the personal possession of or carried as baggage or express by the owner thereof, and such owner shall have in his possession a resident license duly issued to him under the provision of law, and shall accompany the said birds, fowls or animals on the same train or other conveyance; provided, that there shall be only one shipment each day by any one person and that the number of birds or animals carried at any one shipment shall not exceed twenty-five altogether, and also provided that this section shall not apply to any game except woodcock, partridge, pheasant, prairie chicken or prairie hen, grouse of any variety, plover of any va-

riety, and also provided that the number of snipe of any variety and aquatic fowl that may be transported under this section shall not exceed fifty. All game shipped or had in possession in violation of this act may be seized, confiscated and sold by any warden as provided by law. Any person who shall violate any of the provisions of this section shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars, or by imprisonment in the county jail not less than sixty days nor more than six months or by both such fine and imprisonment in the discretion of the court.

Selling, etc., of deer hides, carcass; shipments of hides from other states. SECTION 14. Section 14, chapter 311, laws of 1899, is hereby amended so as to read as follows: Section 14, chapter 311 of the laws of 1899. It shall be unlawful and is prohibited to buy, sell or transport any green hide, green head, carcass or part of a carcass of any buck, deer, doe or fawn between the fifth day of December and the succeeding fifteenth day of November. Provided that this section shall not prohibit the shipment into this state at any time the hides or skins of deer from another state if the same be lawfully taken and had in possession in the state from which such shipment is made. Any shipment made or had in possession in violation of this law may be seized confiscated and sold by and [any] warden as provided by law. Any person or corporation who shall violate any of the provisions of this act shall be punished by a fine of not less than twenty-five dollars nor more than fifty dollars and by imprisonment until said fine is paid, not exceeding sixty days.

Hunting with dogs prohibited when; excepted localities; penalty. SECTION 15. It shall be unlawful and is hereby prohibited for any person to hunt any game, of any kind with a dog or dogs in this state, during the open season for hunting deer provided that the counties of Columbia, Dodge, Washington, Ozaukee, Milwaukee, Waukesha, Jefferson, Dane, Iowa, Grant, Lafayette, Green, Rock, Walworth, Racine and Kenosha are excepted. Any person violating the provisions of this act shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars or by imprisonment until such fine is paid not exceeding ninety days. Any dog found running deer in this state is hereby declared to be a public nuisance.

Shipment of fish or game; penalty for false statements. SECTION 16. Section 19 of chapter 312 of the laws of 1899 is hereby amended so as to read as follows: Section 19, chapter

312 of the laws of 1899. It is hereby required that any and all packages containing fish or game shall be labeled in plain letters on the address side of the package so as to disclose the number of pounds of each kind of fish and the number of each variety of game, animals or birds contained therein. Any person who shall deliver to a common carrier for transportation any package or parcel containing fish or game, which said package or parcel shall not be so labeled as herein required, or who shall place upon said package or parcel a false statement as to the contents thereof, shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment in the county jail not less than thirty days nor more than ninety days, or by both fine and imprisonment. Any shipment made or had in possession in violation of this law may be seized, confiscated and sold by any warden as provided by law.

Endorsements on package; penalty. SECTION 17. Section 20, chapter 312 of the laws of 1899 is hereby amended so as to read as follows: Section 20, chapter 312, of the laws of 1899. Every person delivering to a common carrier a package or parcel containing fish or game shall place upon said package the name and address of the shipper and the name and address of the person to whom shipped. Any person violating the provisions of this section shall, upon conviction thereof, be punished by a fine of not less than ten dollars, nor more than fifty dollars. Any shipment made or had in possession in violation of this law may be seized, confiscated and sold by any warden as provided by law.

Report of fishermen in outlying waters; penalty for failure to make. SECTION 18. Section 4567a, of the statutes of 1898 is hereby amended so as to read as follows: Section 4567a, of the statutes of 1898. Each person engaged in fishing in the outlying waters of this state as a business during the whole or any part of the year shall, on or before the first day of December of such year, report to the state fish and game warden the amount in pounds of all food fish caught by him during the year, the average price per pound, and such other information as required by the blanks furnished him for the purpose; and for failing to make such report or for wilfully making a false report any such person shall be punished by a fine of not less than twenty-five dollars nor more than fifty dollars, or be imprisoned in the county jail not less than ten days nor more than sixty days.

Depositing of deleterious substances in water; penalty. SECTION 19. Section 4567 of the statutes of 1898 is hereby amended so as to read as follows: Section 4567. Any person who shall

cast, deposit or throw overboard from any row, sail or steamboat or other craft into any of the inland waters of this state, or into Green Bay, Sturgeon Bay and Chequamegon Bay, or deposit or leave upon the ice thereof until it melts, any fish offal, which shall be construed to mean and include the head, intestines, blood and cleanings of fish and dead fish, or throw or deposit or permit to be thrown and deposited any lime, tan bark, ship-ballast, stone, sand slabs or decayed wood or any acids or chemicals or waste or refuse arising from the manufacture of pulp or paper or other substances deleterious to fish life, (authorized drainage and sewerage from municipalities excepted), into any of the rivers, lakes or streams of this state, including Green Bay, Chequamegon Bay and Sturgeon Bay or into any streams wherein there have been planted trout fry or in which trout naturally abound, or who shall throw or deposit in any of the inland waters of this state, (the Wisconsin river, the Kickapoo river, the Pine river in Richland county and the Chippewa river from Jim falls to its mouth excepted), any saw dust or planing mill shavings shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment in the county jail not less than thirty days nor more than four months. The fact of any fisherman coming to the shore with dressed fish in his boat and without the offal produced by such dressing shall be prima facie evidence of the violation of the first clause of this section.

Hunting on another's land; in pastures. SECTION 20. Section 4565d of the statutes of 1898 is hereby amended by adding after the word "situate," in the fourth line thereof, the following words: "or any person who shall, without permission of the owner hunt or shoot on the land of another enclosed by a fence and used as a pasture for stock" and by adding the word "other" after the word "any" to the end that the law may protect the owners of enclosed lands used as a pasture for stock against persons hunting or shooting thereon without the permission of the owners thereof, regardless of the notice required as to other lands, so that such section when amended will read as follows: Section 4565d. Any person who shall enter into any growing or standing grain not his own, with fire-arms or permit his dog to enter into any such grain, without the permission of the owner or occupant of the land on which such grain is situate or any person who shall, without permission of the owner, hunt or shoot on the premises of another enclosed by a fence and used as a pasture for stock, or shall hunt or shoot upon any other land of another after being notified not to hunt or shoot thereon, shall be punished by a fine of not less than five dollars nor more

than ten dollars and in default of payment thereof, shall be imprisoned in the county jail not less than ten days nor more than thirty days; provided, that this section shall not limit or in any way affect civil liability on account of such trespass. Any owner or occupant of land may give the notice provided for in this section by maintaining sign boards, at least one foot square, containing such notice upon at least every forty acres of the premises sought to be protected, in at least two conspicuous places, or by giving personal, written or verbal notice.

Transportation of fish or game during close season; penalty; private hatcheries. SECTION 21. Section 1498m, of the statutes of 1898 is hereby amended so as to read as follows. Section 1498m of the statutes of 1898. Any person or corporation, or any agent or servant of the latter, who shall, for compensation, or otherwise, transport any fish of either of the varieties for which a close season is prescribed by law, during such season or use the stamp or brand hereinafter described in the shipment of any fish not raised in a private hatchery or transport any of the animals, fowl or birds for which a close season is prescribed by law, during such season, or ship, carry or transport, offer or receive for shipment or transportation to any place beyond this state any feathered game protected by these statutes, except live birds and also fifty birds or fowl of any variety when the same are accompanied by and in the possession of the owner thereof, if a non-resident, and also trout raised in private hatcheries as hereinafter provided or ship, transport or carry out of this state to sell or offer for sale any duck of any variety, or any snipe or plover between the first day of December and the next succeeding first day of September, shall forfeit not less than twenty-five dollars nor more than one hundred dollars for each such violation, to be recovered in a civil action brought in the name of the state by the state fish and game warden or one of his deputies. The possession of any such animals, fowl or birds during the close season therefor, for shipment or in transit, shall be prima facie evidence of the violation of this section. Nothing herein contained shall prevent the shipment of trout raised in private hatcheries, the package or box containing which shall be branded with an iron brand as follows: "Shipped from the private hatchery of" (here insert the name of the owner and the location of the hatchery). It shall be the duty of every person whenever any animal, fish or game of any of the kinds the taking, catching or killing of which is prohibited by law at any or all times (except during the periods in which the same may be lawfully taken, caught or killed), is offered to him for transportation out of this

state, to at once notify and give full particulars concerning such offer and by whom made, to the state fish and game warden or one of his deputies. All sections of these statutes relating to having in possession or under control, or the sale, shipment or transportation of any animal, fish, water fowl or bird, shall be construed to include any and all parts of the flesh and meat thereof.

What packages of fish or game may be transported; penalty. SECTION 22. It shall be unlawful for any person, company or corporation to offer for transportation or to transport to any point within or without this state any brook or rainbow trout, muskellunge, bass or pike, or any fish taken from the inland waters of this state except chub, dace, suckers, carp, red-horse, sheepshead, dog-fish, garfish, sturgeon, catfish and bull heads and as follows:

A. If marked as provided by law, one package and no more, containing not more than twenty pounds of fish, or in lieu thereof two fish, and no more, of any weight, may be transported to any point within or without this state, by any person, provided that not more than one such shipment shall be made during one week by the same person.

B. Any package or shipment containing more than twenty pounds of fish or containing in lieu thereof more than two fish weighing in the total more than twenty pounds of any brook or rainbow trout muskellunge, bass or pike or fish taken from the inland waters of this state, chub, dace, suckers, carp, red horse, sheepshead, dog fish, garfish, sturgeon, catfish and bull heads may be transported to any point within this state, shipments to points without the state being unlawful, provided that the shipment be marked as provided by law and that the shipment be accompanied by the shipper on same train from point of shipment to place of destination. Any person, company or corporation who shall violate any of the provisions of this act shall on conviction thereof pay a fine of not less than twenty-five dollars nor more than one hundred dollars, or be imprisoned in the county jail not less than thirty days nor more than four months. Any shipment made in violation of this act may be seized, confiscated and sold by any game warden of this state as provided by law.

Packages shipped from outlying and inland water points; penalty. SECTION 23. Any package containing fish offered for shipment or transportation by any person, company or corporatin or received for transportation by any person, company or corporation at any point in this state not situate on any waters

designated by the statutes of this state as outlying waters, shall come under the provisions of law pertaining to the shipment of fish taken from the inland waters of this state. And any person, company or corporation offering for transportation any package in violation of this act shall on conviction thereof be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment in the county jail not less than one month nor more than four months. Any shipment made in violation of this act may be seized, confiscated and sold by any warden as provided by law.

Duty of county clerk as to license moneys. SECTION 24. It shall be the duty of each county clerk in this state to remit to the state treasurer, on the first day of each month, all moneys received by him for hunting or fishing licenses during the preceding month, and to report to the state fish and game warden the number of licenses issued, and the amount of money remitted to the state treasurer. Any county clerk who shall fail or refuse to comply with the provisions of this act shall on conviction thereof pay a penalty of not less than five nor more than ten dollars or by imprisonment in the county jail not less than five nor more than ten days.

Use of net in outlying waters. SECTION 25. Section 4560j of the statutes of 1898 as amended by section 7, chapter 311, laws of 1899 is hereby amended so as to read as follows: Section 4560j. Any person who shall set or cause to be set in the waters of Lake Superior within one mile of the main shore thereof, within the jurisdiction of this state, or in the entire Chequamegon Bay, or waters south of an east and west line drawn from the extreme northwest end of Long Island or Chequamegon point to the mainland in Bayfield county, any seine, gill, pound or fyke net, shall be punished by a fine of not less than twenty-five dollars and not more than one hundred dollars or by imprisonment in the county jail not less than thirty days nor more than three months.

License for scientific purposes. SECTION 26. Section 1498i of the statutes of 1898 is hereby amended so as to read as follows: Section 1498i. The state fish and game warden may on satisfactory testimonials, issue to any person a resident of this state, a permit to take any of the nests, eggs, birds, fowls, fish or animals of the state under conditions and restrictions fixed by said warden.

Taking and sale of suckers and carp. SECTION 27. The state fish and game warden is hereby authorized to issue to any per-

son a permit to take carp and suckers at any time in any way, provided the same be done under the supervision of a deputy game warden. The state fish and game warden may also take in any way he deems best carp and suckers and dispose of the same paying the net proceeds to the state treasurer, which moneys shall become a part of the hunting license fund.

Duty of hunter as to shipping coupons on license; penalty.

SECTION 28. Whenever any resident of this state holding a hunting license, shall kill a deer during the open season he shall immediately attach to the carcass of said deer section B of one of the coupons of his license. Whenever a non-resident of this state holding a hunting license for the hunting of all kinds of protected game of this state shall kill a deer during the open season he shall immediately attach to the carcass of said deer sections B and C of one of the coupons of his license. Any person, company or corporation, before receiving for shipment, any carcass or part of a carcass of any deer, shall detach from the license of the shipper section A, of one of the coupons of said license and compare the same with the coupon or coupons attached to said carcass or part of a carcass and if they correspond the carcass or part of a carcass may be shipped provided the said carcass or part of a carcass of deer be accompanied by the shipper from the place of shipment to destination if within the state and to state line if destination be to a point without the state. Any carcass or part of a carcass of any deer had in possession in or near any hunting camp or found in transit or in any place for sale or storage, without the section of the hunting license coupon mentioned attached, may be seized, confiscated and sold by any warden as provided by law. Any resident who shall neglect or refuse to comply with the provisions of this act, or any non-resident who shall neglect or refuse to comply with the provisions of this act, or any person or agent of any person, company or corporation who shall receive for shipment or ship any carcass or part of a carcass of any deer in violation of this act shall on conviction thereof pay a fine of not less than ten dollars nor more than fifty dollars or by imprisonment in the county jail not less than twenty days nor more than three months.

SECTION 29. This act shall take effect and be in force from and after its passage and publication.

Approved May 13, 1901.

No. 424, S.] [Published May 15, 1901.

CHAPTER 359.

AN ACT authorizing the governor to put a new ventilation plant in the capitol building and making an appropriation therefor.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Appropriating $25,000. SECTION 1. The governor of the state of Wisconsin is hereby authorized and empowered to procure and install a new, modern and efficient system of ventilation in the capitol and to make all necessary contracts therefor, at a cost not to exceed twenty-five thousand dollars. There is hereby appropriated out of the general fund for the purpose of this act the sum of twenty-five thousand dollars or so much thereof as may be necessary.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 13, 1901.

No. 414, S.] [Published May 16, 1901.

CHAPTER 360.

AN ACT to provide for registration of trade marks and other marks of ownership and to prevent the unlawful use and disposal of articles marked therewith.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Filing of description with secretary of state; publication of; fees. SECTION 1. Any and all persons or corporations who may be the owners of cans, tubs, firkins, boxes, bottles, casks, barrels, kegs, cartons, tanks, fountains, vessels or contain-

ers with his, her, its or their names, brands, designs, trade marks, devices or other marks of ownership stamped, impressed, labelled, blown in or otherwise marked thereon, may file with the secretary of state and also with the register of deeds of any county in which any such person or persons or corporations may have his, her, its or their principal place of business, a written statement or description verified by affidavit of such owner or his, her or its agent, of the names, brands, designs, trade marks, devices or other marks of ownership so used by him, her, it or them, and of the said article or articles upon which the same are used, or if such principal place of business shall be without the state, then such written statement or description so verified may be filed with the register of deeds of any county of this state. Said statement shall be published once a week for three successive weeks in a newspaper printed in the English language and of general circulation in said county, a copy of which publication, proved in the same manner as proof of publication is now required to be made by law, when no special mode of proving the same is provided, shall also be filed with the secretary of state and with such register of deeds. All such written statements or descriptions and all such certificates of publication so filed with the register of deeds shall be recorded at large by him in a book to be kept by him and such book shall be subject at all reasonable hours to the inspection of all persons who may choose to inspect the same. The secretary of state and the register of deeds shall deliver to any person who may apply therefor copies of all such written statements or descriptions of names, brands, designs, trademarks, devices, or other marks of ownership and of all certificates of publication so filed with them, duly certified to by them in the usual manner, and such certified copies shall be admissible in evidence in all prosecutions under this act, and shall be prima facie evidence that the provisions of this section have been complied with, and of the title of the owner or owners named therein, to the property upon which the name, brand, design, trade-mark, device or other marks of ownership of such owner or owners may appear as described therein. The secretary of state and the register of deeds shall each receive a fee of one (1) dollar for each statement and certificate of publication filed and also a fee of one (1) dollar for each certified copy of such statement and certificate of publication, to be paid for by the person filing or applying for the same.

Sale of receptacle by other than owner prohibited. SECTION 2. It is hereby declared to be unlawful for any person or persons or corporation without the written consent of the owner or owners thereof, to hereafter keep for sale any can, tub, firkin, box, bot-

tle, cask, barrel, keg, carton, tank, fountain, vessel or container so marked or distinguished as aforesaid, of which a description shall have been filed and published as provided in section 1 of this act, or to use or fill with any similar substance, commodity or product as originally contained therein for the sale of such substance, commodity or product any such can, tub, firkin, box, bottle, cask, barrel, keg, carton, tank, fountain, vessel or container or to receive, take, buy, sell, or dispose of or traffic in any such can, tub, firkin, bottle, box, cask, barrel, keg, carton, tank, fountain, vessel or container, or to deface, erase, obliterate, cover up or otherwise remove or conceal any such name, brand, design, trade mark, device or other mark thereon, for the purpose of destroying or removing the evidence of the ownership of such article.

Use of receptacle by other than owner; as to junk dealers. SECTION 3. The using by any person or persons or corporation other than the owner or owners thereof, or his, her, its or their agent, of any such can, tub, firkin, box, bottle, cask, barrel, keg, carton, tank, fountain, vessel or container, for the sale therein of any substance, commodity or product, other than that originally therein contained, or the buying, selling, or trafficking in any such can, tub, firkin, box, bottle, cask, barrel, keg, carton, tank, fountain, vessel or container, or the fact that any junk dealer or dealers in cans, tubs, firkins, boxes, bottles, casks, barrels, kegs, cartons, tanks, fountains, vessels or containers, shall have in his or her possession any such can, tub, firkin, box, bottle, cask, barrel, keg, carton, tank, fountain, vessel or container, so marked or stamped, and a description of which shall have been filed and published as provided in section 1 of this act, shall be, and it hereby is, declared to be, prima facie evidence that such using, buying, selling or trafficking in or possession of is unlawful within the meaning of this act.

Forfeitures for violation. SECTION 4. Any person or persons or corporation or any officer or agent of any corporation acting for or in the name of such corporation who shall violate any of the provisions of this act, shall forfeit not less than five dollars ($5.00) nor more than fifty dollars ($50.00) for the first offense, and not less than fifty dollars ($50.00) nor more than two hundred dollars ($200.00) for each subsequent offense. All forfeitures collected under the provisions of this act shall be paid into the common school fund.

Rights of owner to injunction. SECTION 5. Every such person or corporation having complied with the provisions of this act as aforesaid, may proceed by suit to enjoin any other person or

corporation from filing [filling] with any substance, commodity or product for the sale therein of such substance, commodity or product any can, tub, firkin, box, bottle, cask, barrel, keg, carton, tank, fountain, vessel or container, so marked or distinguished as aforesaid, or from buying, selling, using, or disposing of or trafficing in the same, or from defacing, erasing, obliterating, covering up or otherwise removing any such name, brand, design, trade mark, device or other marks or ownership thereon, for the purpose of destroying or removing the evidence of the ownership of such article, and all courts having equity jurisdiction shall have power to grant injunctions according to the course and principles of courts of equity, to restrain such filing [filling] for sale or such buying, selling, giving away, using or disposing of, or trafficing in or such defacing, erasing, obliterating, covering up, or otherwise removing or the violation of any right acquired under the provisions of this act, and upon a decree being rendered in any such case against the defendant, the complainant shall be entitled to recover the damages the complainant may have sustained by reason of the said acts of the defendant and the court shall assess the same or cause the same to be assessed under its direction.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved May 13, 1901.

No. 413, S.] [Published May 16, 1901.

CHAPTER 361.

AN ACT to amend section 2 of chapter 356 of the laws of Wisconsin for 1899, relating to negotiable instruments.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Correcting an error. SECTION 1. Section 2, of chapter 356 of the laws of Wisconsin for 1899 is hereby amended by striking out the figures "4143" found in the fourth line of said section 2, and substituting in each place thereof the figures "4193," so that said section 2 shall, when so amended, read as follows:

Section 2. Section 176, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682, 1683 and 1684, of the statutes of 1898 are hereby repealed. Sections 1944, 1945, 4193, 4194, 4425 and 4458 of said statutes are not affected by this act, and nothing herein shall be deemed to repeal any part of such sections. All other provisions inconsistent with this chapter are repealed.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 13, 1901.

No. 407, S.] [Published May 16, 1901.

CHAPTER 362.

AN ACT to amend sub-chapter 12 entitled "water works and lighting" of chapter 40a of statutes of 1898 to provide for issuing certificates and improvement bonds for laying water pipes in cities operating under the general charter law.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Laying of water pipes; duty of board of public works as to bids; terms of contract. SECTION 1. Sub-chapter 12 entitled "water works and lighting" of chapter 40a of statutes of 1898 entitled, "of the organization and government of cities under general law," is hereby amended by adding after section 925—99 thereof the two following sub-sections: Section 925—99a. After the council shall have ordered the laying of any water pipe, the board of public works, shall advertise for and receive bids to do the work so ordered, having first procured to be carefully prepared and put on file in the office of the board, for the examination and guidance of bidders, plans and specifications describing the work to be done and the kinds and qualities of materials to be used, as directed by the council, and shall let the contract to the lowest responsible and reliable bidder; provided, however, that the board shall have the right to reject all bids and re-advertise for proposals if they believe none of the bidders are responsible or that any agreement has been entered into between bidders to prevent competition; and provided further, that the

contract shall not be binding till approved by the council and countersigned by the comptroller. Section 925—99b. Such contract may at the option of the city, except as herein otherwise provided, require the contractor to receive as payment for so much of the work as has been assessed against the lots, tracts or parcels of land, opposite to the front of which any water pipe shall extend certificates, against such lots, tracts or parcels of land, respectively, or improvement bonds, and the residue of such contract, shall be paid out of the water works fund, in the city treasury, and such certificates and bonds shall be issued and collected in the same manner as is now provided in sub-chapter 18 of chapter 40a, statutes of 1898 for issuing and collecting certificates and improvement bonds for street improvements.

Certificates for payment, payment of. SECTION 2. Section 925—105 of sub-chapter 12 entitled "water works and lighting." of chapter 40a, statutes of 1898 is hereby amended by striking out the words, "except that no certificates shall be issued;" where said words occur in the twelfth and thirteenth lines of said section, and by substituting in place thereof the words, "and if no certificates, or special improvement bonds have been issued on account thereof" so that said sub-section when amended shall read as follows: Section 925—105. The said board of public works shall from time to time make and file a report, with the comptroller in cities of the first class and with the city clerk in all other cities, in time, if practicable, to have the assessments due included in the tax roll for the current year, of all work done for which assessments shall have been made as hereinbefore provided, and the comptroller in cities of the first class shall make certified returns of such assessments, based upon such report, to the city clerk in time to have the same included in such tax roll if it is practicable to do so. Such assessments shall be entered on the tax roll in a separate column under the head of "water pipe assessments," and the same shall be collected and the payment thereof enforced by sale, deed and other proceedings as is now provided by law in cases of assessments for street improvements, and if no certificates, or special improvement bonds have been issued on account thereof, all such assessments and the proceeds thereof when so collected shall belong to the water works fund.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved May 13, 1901.

No. 406, S.] [Published May 16, 1901.

CHAPTER 363.

AN ACT to amend section 13 of chapter 218 of the laws of 1899 entitled "An act to establish a district court in the county of Milwaukee, Wisconsin.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Collection and disposition of fees. SECTION 1. Section 13 of chapter 218 of the laws of 1899 is hereby amended as follows: By adding after the word "witness" where it occurs in the eighth line of said section the following words "justices and constable" and adding after the word "witnesses" where it occurs in the thirteenth line of said section the following "justices and constables" and by adding after the word witness where it occurs in the sixteenth line of said section the words "justice and constable" and by adding after the word "witness" when it occurs in the twentieth line of said section the words "justices or constables," so that said section as amended shall read as follows: Section 13. All fines and penalties imposed by said district court and the costs and fees of trial, shall be payable to the clerk of said court, and it shall be his duty to account for and pay over to the treasurer of said city of Milwaukee, on the first Mondays of January, April, July and October, all fines, penalties, collections and other fees, except witness, justice and constable fees collected which may have come into his hands as such clerk up to the day of such payment, and shall also account for and pay over to said city treasurer on the first Mondays of January and July in each year the witnesses' justices' and constables' fees which may have come to his hands as such clerk up to the day of payment which have not been paid to the persons entitled thereto, which witness, justice and constable fees may thereafter be paid by said treasurer to such persons upon the certificate of such clerk specifying the name of the person entitled thereto, the amount due him and the title of the case in which he was a witness, justice or constable. The foregoing provisions shall not apply, however, to witness fees of members of the police department of the city of Milwaukee who may testify for the prosecution. It shall be the duty of the clerk to tax witness fees for such members, but when collected such witness fees shall be paid by the clerk to the treasurer

of the policeman relief fund association of the city of Milwaukee, on the first Mondays of January, April, July and October of each year.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 13, 1901.

No. 404, S.] [Published May 16, 1901.

CHAPTER 364.

AN ACT authorizing the governor to re-engrave and restore the great seal and the lesser seal of the state of Wisconsin and making an appropriation therefor.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Legends, etc., on old seals to be retained. SECTION 1. As the present great seal of the state of Wisconsin and the lesser seal of the state of Wisconsin have by constant use become incapable of making fair impressions, the governor of the state of Wisconsin is hereby authorized and empowered to employ a competent and skillful engraver to re-engrave the great seal and the lesser seal of the state of Wisconsin, retaining in detail the identical devices and legends now found on said seals, authorized by section 98 of the statutes of 1898.

Appropriation. SECTION 2. There is hereby appropriated a sum sufficient to defray the expense incurred by the provisions of this act.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved May 13, 1901.

No. 405, S.] [Published May 16, 1901.

CHAPTER 365.

AN ACT to authorize Walter Alexander and his associates to maintain a dam across Trapp river in Marathon county.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Location and purpose of dam. SECTION 1. Walter Alexander, Benjamin Heinemann and H. C. Steward, their heirs and assigns, are hereby authorized to construct and maintain a dam across Trapp river, in Marathon county, Wisconsin, on sections twelve (12) and thirteen (13), township thirty (30) north of range eight (8) east, such dam to be constructed or maintained for milling, manufacuring and hydraulic purposes and for the purpose of improving the navigation thereof; also to erect and maintain on and in said river on said lands, mills, machinery, booms and piers and all other structures, appendages and improvements necessary and proper to enable it to use the water of said river for said purposes; also to deposit and hold logs and timber in the pond created by said dam, to be manufactured at said mills.

Free passage of logs; fishway. SECTION 2. The dam and all of said structures and improvements shall be so constructed as to permit the driving of logs and timber down said river and over and through said dam, and a passageway for such logs and timber shall be opened free of charge whenever it shall be necessary in the driving season of the spring of each year. Such dam shall also contain a good and sufficient fishway, permitting the easy and free passage of fish up and down said stream.

Powers to acquire flowage rights. SECTION 3. The said Walter Alexander, Benjamin Heinemann and H. C. Steward, their heirs and assigns for the purpose of acquiring any flowage rights which they or either of them, may deem necessary in carrying out the provisions of this act, may exercise all powers granted to corporations by sections 1777 to 1777d, inclusive, of the statutes of 1898.

Right of repeal, etc., reserved. SECTION 4. The legislature reserves the right to amend or repeal this act.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved May 13, 1901.

No. 385, S.] [Published May 16, 1901.

CHAPTER 366.

AN ACT to authorize the George E. Foster lumber company and its assigns to build and maintain a dam and other structures in and across Pine river in Lincoln county Wisconsin.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Location and purpose of dam. SECTION 1. The George E. Foster lumber company and its assigns are hereby authorized to construct and maintain a dam in and across Pine river in the town of Pine River Lincoln county, Wisconsin on sections number nine and ten, in township number thirty-one, north of range number eight, east, or at their option reconstruct, remodel or repair the dam now in and across said river on said lands, such dam to be constructed or maintained for milling, manufacturing and hydraulic purposes; also to erect and maintain on and in said river on said lands, mills, machinery, booms and piers and all other structures, appendages and improvements necessary and proper to enable it to use the water of said river for said purposes; also to deposit and hold logs and timber in the pond created by said dam, to be manufactured by said mills.

Specifications of. SECTION 2. The height of such dam shall not exceed fifteen feet and the same and all of said structures and improvements shall be so constructed as to permit the driving of logs and timber down said river and over and through said dam, and a passageway for such logs and timber shall be opened free of charge whenever it shall be necessary in the driving season of the spring of each year. Said dam shall also contain a good and sufficient fishway, permitting the easy and free passage of fish up and down said stream.

Powers to acquire flowage rights. SECTION 3. The said George E. Foster lumber company and its assigns for the purpose of acquiring any flowage rights which they or either of

them, may deem necessary in carrying out the provisions of this act, may exercise all powers granted to corporations by sections 1777 to 1777d inclusive of the statutes of 1898.

Right of repeal, etc., reserved. SECTION 4. The legislature reserves the right to amend or repeal this act.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved May 13, 1901.

No. 373, S.] [Published May 16, 1901.

CHAPTER 367.

AN ACT to amend section 595 of chapter 32 of the statutes of 1898, relating to the state hospitals and county asylums for the insane.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Habeas corpus. SECTION 1. Section 595 of chapter 32, of the statutes of 1898, is hereby amended by inserting after the word "court" in the fifth line of said section, the words "or judge;" also by inserting after the word "court" in the sixth line of said section the words "or judge," so that said section when amended shall read as follows: Habeas Corpus. Section 595. All persons confined in either hospital as insane patients, except persons charged with or convicted of crime and confined therein on the order of any court as provided in the next following section, shall be entitled to the benefit of the writ of habeas corpus, and the question of insanity shall be determined by the court or judge issuing such writ; and if such court or judge shall decide that the person is insane such decision shall be no bar to the issuing of said writ a second time if it shall be claimed that such person, not being so confined in pursuance of the order of any such court, has been restored to reason.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 13, 1901.

No. 321, S.] [Published May 16, 1901.

CHAPTER 368.

AN ACT to require the secretary of state to make a biennial fiscal report to enable the legislature to more intelligently consider fiscal matters.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Statement of receipts and disbursements; classification. SECTION 1. It shall be the duty of the secretary of state fifteen days after the opening of each biennial session of the legislature to prepare and have printed one thousand copies of a statement of the receipts and expenditures of the state for the biennial period then ended, and to deliver a copy thereof to each member of the legislature fifteen days after the opening of the session. Receipts shall be classified therein as follows: taxes, license, court and other fees, interest, charitable and penal, educational and miscellaneous. Under the head of miscellaneous shall be classed only the receipts which cannot be classed under the other named headings. The avenues through which expenditures of state funds are made shall be classified as: administrative, legislative, judiciary, military, educational, charitable and penal, interest, agricultural, printing, veterans' home, superintendent of public property and miscellaneous. Under the head of miscellaneous shall be classed only those expenditures which cannot be classed under the other named headings.

Supplemental report of estimates. SECTION 2. The secretary of state shall also prepare, as a supplement to the statement required by section one of this act, and which shall be printed in connection with said statement, estimates of the receipts and expenditures of the state for the biennial period immediately succeeding that for which the statement is made, such estimates to be classified as directed in section one of this act. In preparing such estimates the secretary of state shall take into consideration only such probable receipts for which existing laws provide, and in estimating the expenditures he shall take into consideration only the ordinary and regular expenses of the state, without regard to any special appropriations or extraordinary expenditures which the legislature then convening may be asked to make.

Biennial period defined. SECTION 3. For the purpose of carrying out the provisions of this act, the biennial period shall be considered hereafter to begin at twelve o'clock noon on the first Monday of January in each odd-numbered year and end at twelve o'clock noon on the first Monday in January in the next succeeding odd-numbered year.

Existing laws not repealed. SECTION 4. Nothing in this act shall be construed to repeal any portion of any existing law now requiring reports to be made by the secretary of state.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved May 13, 1901.

No. 286, S.] [Published May 16, 1901.

CHAPTER 369.

AN ACT to provide for lighting the capitol building and grounds with electric light, and to provide for a heat-regulating system in the capitol building and making an appropriation therefor.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Governor to contract for systems. SECTION 1. The governor is hereby instructed to contract for the lighting of the capitol building and park by electricity, and the installation of a complete electric lighting plant, to be operated in connection with the heating system of the capitol building and to furnish the light for the capitol building and grounds. And also to contract for a heat-regulating and ventilating system for the senate chamber, the assembly chamber and for the officers [offices] and committee rooms in the capitol building.

Appropriation. SECTION 2. There is hereby appropriated, out of any money in the general fund not otherwise appropriated, the sum of thirty-five thousand dollars, or so much thereof as may be necessary for the provisions of this act.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved May 13, 1901.

No. 281, S.] [Published May 16, 1901.

CHAPTER 370.

AN ACT to amend section 406a of the statutes of 1898 as amended by chapter 170 of the laws of 1899, relating to annual appropriation of the normal school fund income.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Annual tax; loan to regents. SECTION 1. Section 406a of the "statutes of 1898" as amended by chapter 170 of the laws of 1899, is hereby amended so as to read as follows: Section 406a. For the purpose of conducting and maintaining the normal schools, there shall be levied and collected annually a state tax of "two hundred and fifteen thousand dollars" ($215,000) which amount is hereby annually appropriated to the normal school fund income. The commissioners of public lands may loan to the board of normal school regents, such part of the normal school fund as they deem prudent, not to exceed the sum of sixty thousand dollars ($60,000) such loan to be repaid from the income of the normal schools and from any appropriations hereafter made for their support and maintenance as follows, to-wit: the sum of five thousand dollars ($5,000) February 1, 1898, five thousand dollars ($5,000) February 1, 1899, and ten thousand dollars ($10,000) on the first day of February each year thereafter until said loan is fully paid and discharged.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 13, 1901.

No. 279, S.] [Published May 16, 1901.

CHAPTER 371.

AN ACT to amend section 408, of statutes of 1898, as amended by chapter 179, laws of 1899, relating to appropriations for teachers' institutes.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

From what funds appropriation to be taken. SECTION 1. Section 408 of the statutes of 1898, as amended by chapter 179, laws of 1899, is hereby amended to read as follows: Section 408. For the purpose mentioned in the preceding section, said board may use such sum not exceeding fourteen thousand dollars in a year, as it may deem necessary, of which not exceeding seven thousand dollars shall be paid from the normal school fund income and seven thousand dollars from the general fund, and such amounts as shall be so expended are hereby annually appropriated from the said funds respectively. The secretary of state shall annually, upon presentation to him of the certificates of the president and secretary of the board of regents, of the amount expended for the purpose mentioned in this section, draw his warrant in favor of the treasurer of said board for seven thousand dollars.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 13, 1901.

No. 208, S.] [Published May 16, 1901.

CHAPTER 372.

AN ACT to require, in certain cities of the first class, a report to the police department of all purchases of certain second hand goods.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Duty of dealer to report purchases. SECTION 1. Every dealer in or manufacturer of articles composed, in whole or in part, of gold, silver, precious stones, copper, lead or brass, doing business in cities of the first class within this state, who shall obtain, by purchase or exchange, from any person any second hand article or articles made or constructed, in whole or in part, of gold, silver, precious stones, copper, lead or brass, shall, within twenty-four hours after receiving such article or articles, report to the chief of police the fact that the same has or have been received, with the name, address and description of the person from whom such article or articles was or were received, together with a description of such article or articles, and no such dealer or manufacturer shall destroy or alter the form of any such second hand article or articles until the expiration of twenty-four hours from the time the same was or were received by such dealer or manufacturer.

To keep register of purchases or exchanges. SECTION 2. Every dealer or manufacturer referred to in the first section of this act shall enter, in ink, in a book to be kept for that purpose, a correct description, in the English language, of all second hand articles composed, in whole or in part, of gold, silver, precious stones, copper, lead or brass received by him by purchase or exchange, and the name and residence of, together with a true description of, the person or persons from whom such articles were received, and no entry made in such book shall be erased, obliterated or defaced.

Register to be open to police inspection. SECTION 3. Such book, and the entries therein, referred to in section two of this act, as well as every such second hand article received by such dealer or manufacturer, shall, at all reasonable times be open to the inspection of the chief of police of such city, or any mem-

ber of the police force designated by the chief of police for such purpose.

Powers of police to hold goods for identification. SECTION 4. Such chief of police may, in his discretion, cause any such article as is re-referred to in section one of this act, which he shall have reason to believe was sold or exchanged by some person other than the lawful owner thereof, to be held for the purpose of identification by its lawful owner, for such reasonable length of time as said chief of police shall deem necessary.

Penalty. SECTION 5. Every person violating any of the provisions of this act shall be punished by a fine not exceeding one hundred dollars nor less than ten dollars, or by imprisonment in the county jail for a term not exceeding six months, or by both such fine and imprisonment.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved May 13, 1901.

No. 193, S.] [Published May 16, 1901.

CHAPTER 373.

AN ACT to amend chapter 268 of the laws of 1899, relating to the establishment and maintenance of county training schools for teachers in the common schools.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

What counties may establish school. SECTION 1. Section 5, of chapter 268, laws of 1899, is hereby amended so as to read as follows: The county board of any county within which a state normal school is not located, is hereby authorized to appropriate money for the organization, equipment and maintenance of a county training school for teachers of the common schools.

Board for; appointments, vacancies, bond, organization. SECTION 2. A board to be known as the county training school board, is hereby created, who shall have charge and control of

all matters pertaining to the organization, equipment and maintenance of such school, except as otherwise provided by law. Said board shall consist of three members, one of whom shall be the county superintendent of schools of the county or district in which the school is located. The other members of the board shall be elected by the county board, for the term of three years from the date of their election. Vacancies existing in the board, from whatever cause, except in the case of the county superintendent, shall be filled by appointment made by the chairman of the county board, if the county board is not in session when such vacancy occurs. If the county board is in session, vacancies shall be filled by election by said board for the unexpired term. Appointments made by the chairman of the county board, as hereinbefore specified, shall be for the time to elapse until the next regular meeting of the county board. Each person appointed or created a member of the county training school board shall within ten days after the notice of such appointment, take and subscribe an oath, to support the constitution of the United States and the constitution of Wisconsin, and honestly, faithfully and impartially to discharge his duties as a member of said board, to the best of his ability, which oath shall be filed in the office of the county clerk. He shall also, within the same time, file a bond in such sum as may be fixed by the county board, which bond shall be filed in the office of the county clerk. Within fifteen days after the appointment of said board, the members thereof shall meet and organize by electing one of their number as president and one as treasurer; the county superintendent of schools shall be ex-officio secretary of the said board. The said board shall prescribe the duties of the several officers, except as fixed by law.

Moneys for, how paid. SECTION 3. All moneys appropriated and expended under the provisions of this act shall be expended by the county training school board, and shall be paid by the county treasurer on orders issued by said board.

Duty of state superintendent. SECTION 4. The state superintendent shall give such information and assistance as may seem necessary in organizing and maintaining such training schools. He shall prescribe the courses of study to be pursued, and shall determine the qualifications of all teachers employed in such schools. He shall have the general supervision of all schools established under this act; shall from time to time inspect the same, make such recommendations relating to their management as he may deem necessary, and make such report thereon

as shall give full information concerning their number, character and efficiency.

State aid for, how secured. SECTION 5. Any school established under the provisions of this act, whose courses of study and the qualifications of whose teachers have been approved by the state superintendent, may, upon application, be placed upon an approved list of county training schools for teachers. A school once entered upon such list may remain listed and be entitled to state aid so long as the scope and character of its work are maintained in such manner as to meet the approval of the state superintendent; provided, that he shall not place upon said list more than six schools. On the first day of July in each year the secretary of each county training school board maintaining a school on the approved list, shall report to the state superintendent, setting forth the facts relating to the cost of maintaining the school, the character of the work done, the number and names of teachers employed and such other matters as may be required. Upon the receipt of such report, if it shall appear that the school has been maintained in a satisfactory manner for a period of not less than ten months during the year closing on the thirtieth day of the preceding June, the said superintendent shall make a certificate to that effect and file it with the secretary of state. Upon receiving such certificate, the secretary of state shall draw his warrant, payable to the treasurer of the county maintaining such school "a sum equal to one-half the amount actually expended for maintaining such school during the year, provided that the total amount so apportioned shall not exceed twenty-five hundred dollars to any one school in one year."

Certificates, to graduates; effect of. SECTION 6. Any person who shall complete in a satisfactory manner the course of study prescribed for any county training school, and who shall be of good moral character, shall receive a certificate signed by the principal of the school and by the members of the county training school board. Said certificate shall certify that the person named therein has satisfactorily completed the course of study prescribed for the county training school, and is of good moral character; it shall also contain a list of the standings secured by the person on the completion of each of the studies pursued in the school. Such certificate shall have the force and effect of a third grade certificate issued by the county superintendent of the county or district in which the school is located, for the term of three years from the date of its issue. Any school superintendent or officer authorized to grant certificates to teachers

in Wisconsin schools is hereby authorized, in his discretion, to accept standings obtained by the completion of studies in any county training school in the state, when duly certified by the principal of said school, in lieu of actual examination by said superintendent or examiner at any time within three years from the date of the certificate of completion of the course by the person desiring to have such standings accepted. This provision shall apply to certificates of third and second grades.

Appropriation. SECTION 7. There is hereby appropriated out of any money in the treasury not otherwise appropriated a sufficient sum to carry out the provisions of this act.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved May 13, 1901.

No. 177, S.] [Published May 16, 1901.

CHAPTER 374.

AN ACT to correct an error in section 1081 of the statutes of 1898 as amended by section 2 of chapter 335 of the laws of 1899, relating to collection of taxes.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Form of tax warrant; duty of treasurer and clerk. SECTION 1. Section 1081 of the statutes of 1898 as amended by section 2 chapter 335 of the laws of 1899, is hereby amended by striking out the word "first," where it occurs in the forty-third line of said section 2, and inserting in lieu thereof the word "fifteenth," so that said section when so amended shall be and read as follows:

Section 1081. Every such treasurer shall deliver said receipt to the clerk of his town, city or village on or before the first day of December, and thereupon the clerk shall attach to said tax roll a warrant, substantially in the following form:

The state of Wisconsin to .....,
treasurer of the town of .....,
in the county of .....

You are hereby commanded to collect from each of the per-persons and corporations named in the annexed tax roll, and from the owners or occupants named of the real estate described therein, the taxes set down in such roll opposite to their respective names, and to the several parcels of land therein described; and in case any person or corporation upon whom any such sum or tax is imposed, shall refuse or neglect to pay the same, you are to levy and collect the same by distress and sale of the goods and chattels of the person or corporation so taxed, and out of the moneys so to be collected, after deducting your fees, you are first to pay to the treasurer of said county, on or before the second Monday in February next, the sum of ...., for state taxes; you are to retain and pay out as town treasurer, according to law, the sum of ...., and the balance of said moneys you are required to pay to said treasurer for county purposes, on or before the fifteenth day of March, by which day you are further required to make return to said treasurer of this warrant, with said roll annexed.

Given under my hand this ..... day of ...., 19...

....., Clerk.

The clerk shall deliver the tax roll, with said warrant annexed, to the treasurer, if he shall have duly qualified as such, on or before the third Monday in December, and charge him with the town and local taxes therein.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 13, 1901.

No. 29, S.] [Published May 15, 1901.

CHAPTER 375.

AN ACT to appropriate a sum of money for the further prosecution of the geological and natural history survey of the state.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Appropriation of $5,000 annually. SECTION 1. There is hereby appropriated for the further prosecution of the geological and natural history survey, out of any money in the treasury not otherwise appropriated, the sum of five thousand dollars annually. This money shall be expended by the commissioners of said survey for the purpose of executing the duties assigned to them by chapter 297 of the laws of 1897, and any other duties which may be assigned to them by the legislature.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 13, 1901.

No. 8, S.] [Published May 16, 1901.

CHAPTER 376.

AN ACT relating to the construction of viaducts over railroad tracks crossing public streets or highways in cities of the first class and providing funds for the construction thereof, and authorizing the issue of bonds therefor.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Power of council to construct viaduct over tracks. SECTION 1. Whenever in any city of the first class whether organized under the provisions of the general law, or under a special charter,

there shall now or hereinafter be located railroad tracks which shall cross the public streets or highways, the common council of such city may erect, construct and maintain suitable viaducts, so as to furnish means of travel for the public, over and above such railroad tracks, and whenever necessary, draw or lift bridges in connection with such viaducts shall be provided, as well as suitable approaches and stairways at both termini of said viaduct, and at such intermediate points as may be necessary for safe and convenient access thereto.

Plans, specifications and estimates; damages to abutting property. SECTION 2. Whenever the common council of such city shall have determined to erect and construct such a viaduct it shall cause to be made a complete profile plan and detailed specifications for the work, with an estimate of the cost thereof, and as soon thereafter as practicable the city may enter upon the construction of said viaduct, bridges, stairways and approaches in conformity thereto, and all provisions of law relative to public work or improvements in said city, which are not inconsistent with the provisions of this act shall apply to the work hereby authorized, and all official acts incidental thereto. If by the construction of such viaduct in the manner so provided any damages shall be sustained by the owners of abutting property, to the property owned by them, such damage shall be ascertained and determined in the manner provided by law for the determination and assessment of damages for the alteration of the grade of a street in said city and shall be paid as hereinafter provided.

Negotiations with owners of tracks. SECTION 3. After such plan and detailed specifications for the work of the construction of said viaduct, with an estimate of the cost thereof, shall have been prepared and approved by said common council, the said common council is hereby authorized to enter into negotiations with any person, firm or corporation owning or operating the railroad tracks over which such viaduct is to be constructed, for the payment of such proportion of the expense of the construction of said viaduct by such owners or operators of said railroad tracks as may be agreed upon between said common council, and said owners or operators. After said viaducts shall have been constructed the expense of maintaining and keeping in repair that portion thereof erected over such railroad tracks, and the right-of-way therefor, shall forever be borne and defrayed by the owners or operators of said railroad tracks.

No exclusive privileges to be granted in use of viaduct. SECTION 4. The said viaduct and approaches thereto shall forever remain under the absolute control and management of said city,

and no exclusive rights, franchises, privileges or immunities shall ever be granted over the same or any part thereof by said city to any person or corporation whatever.

Issue of bonds; application of proceeds from. SECTION 5. Whenever the erection and construction of a viaduct shall have been determined upon by the common council of said city agreeably to the provisions of this act, and a plan and detailed specifications for the work of the construction of said viaduct with an estimate of the cost thereof shall have been prepared, and approved by said common council as hereinbefore provided, the said common council is hereby authorized to issue the corporate bonds of said city to an amount not exceeding one-fifth of one per cent. of the value of all taxable property of said city as determined by the last assessment and equalization for city taxes next prior to the issue of said bonds. The proceeds of said bonds are to be applied to the construction and erection of such viaduct and necessary or convenient approaches thereto, and the payment of all damages which may result to abutting property owners from the construction of said viaduct. The common council of said city may also levy such tax or taxes upon all the taxable property of said city as may be found necessary from time to time to pay the balance of the expense or cost of such construction and the damages aforesaid, provided, however, that such tax or taxes so levied in any one year shall not exceed one mill upon each dollar of said equalization valuation of said taxable property. All provisions of law relating to the method of issuing corporate bonds for public improvements in said city as to form and execution of bonds, the issue and sale thereof, and levy of taxes creating a sinking fund, and all other details not inconsistent herewith are made applicable to the bonds hereinbefore provided for, to be issued for the purposes named in this act.

Rights of city not impaired to compel other conveniences. SECTION 6. Nothing contained in this act shall be construed to in any way lessen, abridge or impair the right of said city to require or compel the owners or operators of said railroad tracks to construct and maintain at their own expense in said city, bridges, viaducts, tunnels, or other conveniences at public railroad crossing or to in any way amend, modify or repeal any provisions of law requiring railroad companies to construct and maintain at their own expense in said city such bridges, viaducts, tunnels or other conveniences at public railroad crossings as the common council may deem necessary.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved May 13, 1901.

No. 192, S.] [Published May 16, 1901.

CHAPTER 377.

AN ACT to regulate the sale and analysis of concentrated feedings stuffs.

The people of the state of Wisconsin represented in senate and assembly do enact as follows

Term "concentrated feeding stuffs" defined. SECTION 1. The term "concentrated commercial feeding stuffs" as used in this act, shall include linseed meals, cotton seed meals, peameals, cocoanut meals, gluten meals, oil meals of all kinds, gluten feeds, maize feeds, starch feeds, sugar feeds, sucrene hominy feeds, cerealine feeds rice meals, oat feeds, corn and oat feeds, ground beef or fish scraps, mixed feeds of all kinds, also all condimental stock foods, patented and proprietary stocks foods claimed to possess nutritive as well as medicinal properties and all other materials intended for feeding to domestic animals; but shall not include hays and straws, the whole seeds nor the unmixed meals made directly from the entire grains of wheat, rye, barley, oats, Indian corn, buckwheat, dried brewer's grains, wet brewer's grains, malt sprout, sorghum, and broom corn. Neither shall it include wheat, rye and buckwheat brans or middlings, not mixed with other substances, but sold separately, as distinct articles of commerce, nor pure grains ground together.

Duty of manufacturer, etc., as to recital on packages. SECTION 2. Every manufacturer, company or person who shall sell, offer or expose for sale or for distribution in this state any concentrated commercial feeding stuff, used for feeding farm live stock, shall furnish with each car or other amount shipped in bulk and shall affix to every package of such feeding stuff in a conspicuous place on the outside thereof, a plainly printed statement clearly and truly certifying the number of net pounds in the car or package sold or offered for sale, the name or trade

mark under which the article is sold, the name of the manufacturer or shipper, the place of manufacture, the place of business and the percentages it contains of crude protein, allowing one per centum of nitrogen to equal six and one-fourth per centum of protein and of crude fat, both constituents to be dedetermined by the methods prescribed by the director of the Wisconsin Agricultural Experiment Station. Whenever any feeding stuff is sold at retail in bulk or in packages belonging to the purchaser, the agent or dealer, upon request of the purchaser shall furnish to him a certified copy of the statement named in this section.

Duty before offering for sale. SECTION 3. Before any manufacturer, company or person shall sell, offer or expose for sale in this state any concentrated commercial feeding stuffs, he or they shall for each and every feeding stuff bearing a distinguishing name or trade mark, file annually during the month of December with the director of the Wisconsin Agricultural Experiment Station a certified copy of the statement specified in the proceeding section, said certified copy to be accompanied, when the director shall so request, by a sealed glass jar or bottle containing at least one pound of the feeding stuff to be sold or offered for sale, and the company or person furnishing said sample shall also submit a satisfactory affidavit that said sample corresponds within reasonable limits to the feeding stuff which it represents, in the percentage of protein and fat which it contains.

Annual license for sale of; fee. SECTION 4. Each manufacturer, importer, agent or seller of any concentrated commercial feeding stuffs, shall pay annually to the director of the Wisconsin Agricultural Experiment Station a license fee of twenty-five dollars. Whenever a manufacturer, importer, agent or seller of concentrated commercial feeding stuffs desires at any time to sell such material and has not paid the license fee therefor in the preceding month of December, as required by this section, he shall pay the license fee prescribed hereinbefore making any such sale. The license fees received by such director pursuant to the provisions of this section shall be paid into the treasury of the university and shall constitute a special fund from which to defray the expenses incurred in making the inspections and analyses required by this act and enforcing the provisions thereof, and he shall report annually to the regents of the university of Wisconsin the amount received and the expense incurred for salaries, laboratory expenses, chemical supplies, traveling expenses, printing and other necessary matters. When-

ever the manufacturer, importer or shipper of concentrated commercial feeding stuffs shall have filed the statement required by section two of this act and paid the license fee as prescribed in this section, no agent or seller of such manufacturer, importer or shipper shall be required to file such statement or pay such fee.

Analysis of; samples how procured. SECTION 5. The director of the Wisconsin Agricultural Experiment Station shall annually analyze or cause to be analyzed, at least one sample to be taken in the manner hereinafter prescribed, of every concentrated commercial feeding stuff sold or offered for sale under the provisions of this act. Said director shall cause a sample to be taken, not exceeding two pounds in weight, for said analysis, from any lot or package of such commercial feeding stuff which may be in the possession of any manufacturer, importer, agent or dealer in this state but said sample shall be drawn in the presence of the parties in interest, or their representatives and taken from a parcel or a number of packages, which shall not be less than ten per centum of the whole lot sampled, and shall be thoroughly mixed, and then divided into equal samples, and placed in glass vessels, and carefully sealed and a label placed on each, stating the name of the party from whose stock the sample was drawn and the time and place of drawing, and said label shall also be signed by the person taking the sample, and by the party or parties in interest or their representative at the drawing and sealing of said samples; one of said duplicate samples shall be retained by the director and the other by the party whose stock was sampled; and the sample or samples retained by the director shall be for comparison with the certified statement named in section three of this act. The result of the analysis of the sample or samples so procured, together with such additional information as circumstances advise, shall be published in reports or bulletins from time to time.

Penalty for non-compliance. SECTION 6. Any manufacturer, importer or person who shall sell, offer or expose for sale or distribution in this state any concentrated commercial feeding stuff, without complying with the requirements of this act, or any feeding stuff which contains substantially a smaller percentage of constituents than are certified to be contained, shall, on conviction in a court of competent jurisdiction, be fined not less than twenty-five nor more than one hundred dollars for the first offense, and not more than two hundred dollars for each subsequent offense.

Penalty for adulterations. SECTION 7. Any person who shall adulterate any kind of meal or ground grain or other feeding stuff with milling or manufacturing offals, or any other substance whatever, for the purpose of sale, unless the true composition, mixture or adulteration thereof is plainly marked or indicated upon the package containing the same or in which it is offered for sale; or any person who sells, or offers for sale any meal, ground grain or other feeding stuff which has been so adulterated, unless the true composition, mixture or adulteration is plainly marked or indicated upon the package containing the same, or in which it is offered for sale, shall be fined not less than twenty-five or more than one hundred dollars for each offense.

Prosecutions for violations; notice to manufacturer, etc. SECTION 8. Whenever the director aforesaid becomes cognizant of the violation of any of the provisions of this act, he shall report such violations to the dairy and food commissioner, and said commissioner shall prosecute the party or parties thus reported: but it shall be the duty of said commissioner upon thus ascertaining any violation of sections two, three or four of this act, to forthwith notify the manufacturer, importer or dealer in writing and give him not less than thirty days thereafter in which to comply with the requirements of this act, but there shall be no prosecution in relation to the quality of any concentrated commercial feeding stuff if the same shall be found substantially equivalent to the certified statement named in section two of this act.

SECTION 9. This act shall take effect July 1st, 1901.

Approved May 13, 1901.

No. 640, A.] [Published May 16, 1901.

CHAPTER 378.

AN ACT to appropriate to Wood county, one hundred and fifty-six dollars to reimburse that county for part of the expenses of sending Lena Roser, an inmate of the Marathon county asylum for the insane, to her relatives in Switzerland.

The people of the state of Wisconsin represented in senate and assembly do enact as follows

Proofs necessary, before payment of appropriation. SECTION 1. There is hereby appropriated to Wood county out of any money in the state treasury not otherwise appropriated, the sum of one hundred and fifty-six dollars, payable to the county treasurer of that county, on presentation to the secretary of state of satisfactory proof that said county has caused one Lena Roser, known also as Lena Rose, a chronic insane inmate of the Marathon county insane asylum, the cost of whose maintenance for the past ten years and more, has been chargeable to, and paid by the state and Wood county, to be delivered on board such vessel and to such person as may be designated by her relatives, to be transported to her relatives in Switzerland, who have requested that she be sent to them, and who have assumed the burden of her future care and support.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 13, 1901.

[illegible]

[illegible] May 16, 1901.

CHAPTER [illegible]

[illegible] of assessors and tax- [illegible] giving bribes, fav- [illegible] or valuation of [illegible] of law by as- [illegible] contracts void made [illegible] taxation.

[illegible] in senate and [illegible]

Penalty for solicitations by assessor. SECTION 1. Any asses- [illegible] from the owner of property [illegible] assessment in his assessment district, or [illegible] any reward, favor, money [illegible] or assessment of said [illegible] than the true cash value thereof [illegible] should have been as- [illegible] in the county jail not [illegible] exceeding five hundred dol- lars.

Penalty for soliciting or approaching assessor. SECTION 2. Any person who shall ask or solicit any trade or business of or from the owner of any property situated in and liable to assess- ment in his assessment district, or the agent, attorney or any member of the family of such owner, in pursuance of any agree- ment expressed or implied, that in consideration of such trade or business, in whole or in part or otherwise, the said property of such owner shall be valued or assessed at less than the cash [illegible] thereof, or less than the property would otherwise be val- [illegible] and assessed, shall be punished by imprisonment in the [illegible] jail not more than six months or by a fine not exceeding [illegible] hundred dollars.

[illegible]ers of rewards, etc., to assessor or member of board of review; [illegible]lty for. SECTION 3. Every person who shall offer to give [illegible] shall give directly or indirectly, to any assessor, or member of [illegible] board of review, or for his use or benefit, any reward, money [illegible] other thing of value, to assess or value the property of such [illegible]rson at less than its true cash value or lower than it should be [illegible]ed or valued, shall be punished by imprisonment in the

county jail not more than six months or by a fine not exceeding five hundred dollars.

Penalty for intentional under-valuations by assessor. SECTION 4. Any assessor who shall intentionally fix the value of any property assessed by him at less or more than the true value thereof prescribed by law for the valuation of the same, or shall intentionally omit from assessment any property liable to taxation in his assessment district, or shall otherwise intentionally violate or fail to perform any duty imposed upon him by law relating to the assessment of property for taxation, shall forfeit to the state not less than fifty dollars nor more than two hundred and fifty dollars.

By member of board of review. SECTION 5. Any member of the board of review of any assessment district who shall intentionally fix the value of any property assessed in such district, or shall intentionally agree with any other member of such board to fix the value of any of such property at less or more than the true value thereof prescribed by law for the valuation of the same, or shall intentionally omit or agree to omit from assessment, any property liable to taxation in such assessment district, or shall otherwise intentionally violate or fail to perform any duty imposed upon him by law relating to the assessment of property for taxation, shall forfeit to the state not less than fifty nor more than two hundred and fifty dollars.

Civil liability of assessor or member of board of review. SECTION 6. If any assessor or any member of the board of review of any assessment district shall be guilty of any violation or omission of duty as specified in sections 4 and 5 of this act, he shall be liable in damages to any person or persons who may sustain loss or injury thereby, to the amount of such loss or injury; and any person sustaining such loss or injury shall be entitled to all the remedies given by law in actions for damages for tortious or wrongful acts.

SECTION 7. This act shall take effect and be in force, from and after its passage and publication.

Approved May 13, 1901.

No. 513, A.] [Published May 16, 1901.

CHAPTER 379.

AN ACT providing for the punishment of assessors and taxpayers for asking, accepting, soliciting or giving bribes, favors or rewards in the matter of the assessment or valuation of property, imposing forfeitures for violation of law by assessors or boards of review and declaring contracts void made to influence the valuation of property for taxation.

The people of the state of Wisconsin represented in senate and assembly do enact as follows

Penalty for solicitations by assessor. SECTION 1. Any assessor who shall ask, solicit or receive from the owner of property situated in and liable to assessment in his assessment district, or the agent or attorney of such owner any reward, favor, money or other thing of value for the valuation or assessment of said property of such owner, at less than the true cash value thereof or at a lower value than such property should have been assessed, shall be punished by imprisonment in the county jail not more than six months or by fine not exceeding five hundred dollars.

Penalty for soliciting or approaching assessor. SECTION 2. Any person who shall ask or solicit any trade or business of or from the owner of any property situated in and liable to assessment in his assessment district, or the agent, attorney or any member of the family of such owner, in pursuance of any agreement expressed or implied, that in consideration of such trade or business, in whole or in part or otherwise, the said property of such owner shall be valued or assessed at less than the cash value thereof, or less than the property would otherwise be valued and assessed, shall be punished by imprisonment in the county jail not more than six months or by a fine not exceeding five hundred dollars.

Offers of rewards, etc., to assessor or member of board of review; penalty for. SECTION 3. Every person who shall offer to give or shall give directly or indirectly, to any assessor, or member of a board of review, or for his use or benefit, any reward, money or other thing of value, to assess or value the property of such person at less than its true cash value or lower than it should be assessed or valued, shall be punished by imprisonment in the

county jail not more than six months or by a fine not exceeding five hundred dollars.

Penalty for intentional under-valuations by assessor. SECTION 4. Any assessor who shall intentionally fix the value of any property assessed by him at less or more than the true value thereof prescribed by law for the valuation of the same, or shall intentionally omit from assessment any property liable to taxation in his assessment district, or shall otherwise intentionally violate or fail to perform any duty imposed upon him by law relating to the assessment of property for taxation, shall forfeit to the state not less than fifty dollars nor more than two hundred and fifty dollars.

By member of board of review. SECTION 5. Any member of the board of review of any assessment district who shall intentionally fix the value of any property assessed in such district, or shall intentionally agree with any other member of such board to fix the value of any of such property at less or more than the true value thereof prescribed by law for the valuation of the same, or shall intentionally omit or agree to omit from assessment, any property liable to taxation in such assessment district, or shall otherwise intentionally violate or fail to perform any duty imposed upon him by law relating to the assessment of property for taxation, shall forfeit to the state not less than fifty nor more than two hundred and fifty dollars.

Civil liability of assessor or member of board of review. SECTION 6. If any assessor or any member of the board of review of any assessment district shall be guilty of any violation or omission of duty as specified in sections 4 and 5 of this act, he shall be liable in damages to any person or persons who may sustain loss or injury thereby, to the amount of such loss or injury; and any person sustaining such loss or injury shall be entitled to all the remedies given by law in actions for damages for tortious or wrongful acts.

SECTION 7. This act shall take effect and be in force, from and after its passage and publication.

Approved May 13, 1901.

No. 618, A.] [Published May 16, 1901.

CHAPTER 380.

AN ACT to amend section 4390 of the statutes of 1898, relating to doors that shall swing outwardly.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

What buildings to have; duty of owner. SECTION 1. Section 4390 of the statutes of 1898 is hereby amended so it shall read as follows: Section 4390. Every building now or hereafter used, in whole or in part, as a public building, public or private institution, hotel, inn, schoolhouse, church, public hall, place of assemblage, or place of public resort, factory or workshop, opera house or office building must be provided with outer doors that shall open or swing outwardly, and when storm doors are used at the entrance of any such building, either inside or outside, said storm doors shall have a glass therein not less than fifteen inches square, which glass shall be not less than four feet from the floor or approach, unless the commissioner of labor and industrial statistics, the factory inspector or assistant factory inspector in his judgment shall deem it otherwise. Any owner, tenant, corporation, person or persons in charge of any of the above named buildings, who shall fail to comply with this section or provide the same with fire escapes according to law, or any architect who shall prepare plans for any building which is required by law to be provided with such doors or with fire escapes, without providing in such plans for the same shall be punished by a fine not exceeding five hundred dollars or by imprisonment in the county jail not longer than ninety days.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 13, 1901.

No. 15, A.] [Published May 16, 1901.

CHAPTER 381.

AN ACT to appropriate a sum of money for monuments in national park at Shiloh, Tennessee and to appoint commissioners for the purpose of selecting and locating same.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Governor to appoint commission; duty of. SECTION 1. That the governor of this state be and he is hereby authorized to appoint a commission of five gentlemen whose duty it shall be to select monuments and have them placed in proper locations upon Shiloh battlefield. They shall serve without pay and shall be selected from survivors of the fourteenth, sixteenth and eighteenth regiments Wisconsin volunteer infantry; their traveling and other necessary expenses shall however be paid upon the presentation of proper vouchers, out of the money hereinafter appropriated.

Appropriation; requirement as to material of monuments. SECTION 2. For the purpose of erecting suitable monuments upon the battlefield of Shiloh, now a national park, commemorative of the Wisconsin troops engaged in said battle on April 6 and 7, 1862, and for the purpose of defraying expenses of the commissioners referred to in the preceding section of this act, there is hereby appropriated out of any money in the treasury not otherwise appropriated, the sum of ten thousand dollars. This sum shall be for the purchase of a monument and expenses aforesaid for each organization from Wisconsin engaged in said battle which were as follows: fourteenth regiment Wisconsin volunteer infantry, sixteenth regiment Wisconsin volunteer infantry and eighteenth regiment Wisconsin volunteer infantry. Provided however that if in the judgment of the five commissioners one general monument for all these organizations shall be more desirable, then such commissioners shall have the right to so select and erect one general monument. Provided however that only Wisconsin granite shall be used.

Report of commission. SECTION 3. Said commission shall report in writing to the governor as soon as their labors have been completed.

SECTION 4. This act shall take effect and be in force, from and after its passage and publication.

Approved May 13, 1901.

No. 171, A.] [Published May 17, 1901.

CHAPTER 382.

AN ACT to appropriate certain sums of money therein named to the several charitable, penal and reformatory institutions of the state.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Purposes of appropriations. SECTION 1. There is hereby appropriated out of the general fund of the state treasury not otherwise appropriated, to the several charitable and penal institutions of the state the sums of money and for the purposes hereinafter mentioned. For altering and repairing the northern hospital for the insane so as to make it suitable for the care and safe keeping of the criminal, dangerous and vicious insane, and for general repairs, ten thousand dollars; for water filter and pumps, five thousand dollars; to state prison for water-power and pumps, six thousand dollars; for solitary cells, bath rooms et cetera, six thousand five hundred dollars; to the state public school at Sparta for wiring buildings, two thousand dollars; to the Wisconsin home for feeble minded for the erection and equipment of additional buildings, fifty thousand dollars; provided, however that no plan or plans shall be adopted and no contract or contracts shall be entered into by the board of control for the construction or erection of any building or other structure or thing specified in this act, until such plans and contracts with estimates of the total cost thereof, shall first have been submitted to, and in writing approved by the governor of the state, who shall withhold such approval until he shall satisfy himself by a personal examination of the same and by such other means as he in his discretion may adopt, that any such building, structure or thing can and will be erected and fully completed according to such plans or contracts for a sum of money not ex-

ceeding the amount hereby appropriated for such particular purpose.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 13, 1901.

No. 245, A.] [Published May 17, 1901.

CHAPTER 383.

AN ACT to appropriate a certain sum of money to pay indebtedness incurred in the enlargement of the Wisconsin veterans' home.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Appropriation; purpose of. SECTION 1. There is hereby appropriated to the Wisconsin veterans' home, the sum of twenty thousand dollars, out of any money not otherwise appropriated, and to be used only to pay indebtedness heretofore incurred in the enlargement of said Wisconsin veterans' home.

Bond of board; to keep account of expenditures. SECTION 2. The members of the board of trustees of the said Wisconsin veterans' home, shall execute to the state of Wisconsin a joint and several bond on their part, in the penal sum of twenty thousand dollars, with two or more sufficient sureties, conditioned that they will faithfully expend and apply said money appropriated by this act to the purpose for which the same is appropriated and that they will in all respects discharge their duties as such trustees. Until such bond, as is hereinbefore provided, shall be properly made and approved by the governor and filed in the executive office, no money shall be paid out of the state treasury in pursuance of the appropriation made by this act. It shall be the duty of said trustees, to keep a true and accurate account of the disbursement of the money herein appropriated, and report the same to the governor in writing.

Effect of act. SECTION 3. This act shall not in any wise repeal or amend any of the provisions of chapter 393, laws

1891, in so far as they are applicable to the expenditure of money hereby appropriated, and all reports relevant thereto, and all other duties imposed by said act, are hereby continued in force in respect to the appropriations herein made, in so far as the same can be applied thereto.

SECTION 4. This act shall take effect and be in force, from and after its passage and publication.

Approved May 13, 1901.

No. 632, A.] [Published May 17, 1901.

CHAPTER 384.

AN ACT to detach certain territory from the town of Sampson in the county of Chippewa and to create therefrom the town of Rusk, to provide for all town meetings therein and for a final settlement between said towns of Sampson and Rusk.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Territory of town. SECTION 1. All that portion of the present town of Sampson situated in the county of Chippewa in the state of Wisconsin, and described as follows, to-wit: All of township number thirty-three north, and of range number nine west, of the fourth principal meridian in the state of Wisconsin, and now forming a part of the present town of Sampson, is hereby set off and detached from the said town of Sampson and is duly created and organized as a separate town to be known and designated as the town of Rusk.

Creation and rights of town. SECTION 2. The said town of Rusk is hereby created and organized with all the rights, powers and privileges conferred upon and granted to other towns in the state of Wisconsin, and shall be subject to all the general laws enacted for town government therein.

Apportionment of assets and liabilities. SECTION 3. The assets and liabilities of the said towns of Sampson and Rusk, shall be apportioned to the said town of Rusk, pro rata in such proportions as the valuation of all taxable property detached from

said town of Sampson, bears to the whole of the assessed valuation of said towns of Sampson and Rusk, according to the assessment roll for the year A. D. 1900.

First town meeting. SECTION 4. The first town meeting of said town of Rusk shall be held on the third Tuesday of June A. D. 1901, in the Bear Lake school house, situated in said township number thirty-three north, and of range number nine west.

Election of officers. SECTION 5. The qualified electors of said town of Rusk, shall, at such town meeting held as provided for in section 4 of this act, in the manner provided by law, elect town officers for the said town, and for the purpose of such election the qualified electors of said town of Rusk, shall, between the hours of nine and eleven o'clock in the forenoon of said day, choose three of their number to act as inspectors of said election, and such inspectors shall before entering upon their respective duties, severally take the usual oath of office and file the same with their returns, and such inspectors shall respectively canvass and return the votes cast at such election, in all respects as provided by law for inspectors at annual town meetings. A town clerk and also all necessary clerks of said election, shall be appointed by said inspectors, or a majority thereof, to assist said inspectors in conducting said town meeting, and in canvassing and returning the votes cast at such election.

When town deemed organized. SECTION 6. When said town meeting shall have been held as herein provided, and the town officers required by law duly elected, the said town of Rusk, shall be deemed and shall be duly organized, and shall possess all the rights, powers, privileges and authority, and shall be subject to all the liabilities of other towns in the state of Wisconsin. After said first town meeting, all annual town meetings shall be held on the day provided by law for the holding of town meetings in other towns in the state of Wisconsin.

Notice of first town meeting, how given. SECTION 7. Notice of said first town meeting shall be given by the posting of a copy of this act, in at least six public places in said new town of Rusk, at least ten days prior to the time of holding said first town meeting, by any duly qualified elector of said town, who shall make a proper affidavit of such posting and file the same on the day of said first town meeting, with the inspectors chosen to conduct said first town meeting.

Settlement between towns, how made. SECTION 8. The supervisors of the town of Sampson, and the supervisors of the new town of Rusk, shall, on the twenty-fifth day of June A. D.

1901, meet at the office of the town clerk of the town of Sampson, for the purpose of making a settlement between said two towns according to the provisions of this act, and at said meeting or at any subsequent or adjourned meeting, held by said town boards of supervisors, any three of the supervisors shall have full power and authority to send for any persons, books, papers and records, necessarily involved or needed in the settlement between said two towns. The town clerk of the town of Sampson shall be and act as the clerk of such joint meeting, and the town clerk of the new town of Rusk, shall be present and assist, and sufficient duplicates or copies of all proceedings had, shall be made in order that each town may have at least one for the use and information of the town clerk and town board of supervisors thereof. Each town shall be chargeable with the expense, and for the services and per diem of its own officers only, and the bills therefor shall be audited and paid by the respective towns of Sampson and Rusk, as other bills are by law authorized to be audited and paid.

SECTION 9. This act shall take effect and be in force, from and after its passage and publication.

Approved May 13, 1901.

No. 654, A.] [Published May 17, 1901.

CHAPTER 385.

AN ACT to amend section 1547 of the statutes of 1898, relating to the commitment of children.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Commitment of children; appeal; amendment of judgment. SECTION 1. Section 1547 of the statutes of 1898 is hereby amended by changing the word "sixteen" in the second line of said section, to "eighteen," so that said section when so amended shall read as follows: Section 1547. Any male child under the age of ten years and any female child under the age of eighteen years, besides such as are included in section 1543, who shall be

found begging or receiving alms, either directly or under pretense of selling or offering anything for sale in any public street or place for that purpose, or wandering in public places as one of the class known as rag pickers, or wandering without having any home, abode or proper guardianship, or destitute because an orphan, or having a parent undergoing imprisonment or otherwise, or who frequents the company of reputed thieves or of lewd, wanton or lascivious persons in speech or behavior, or notorious resorts of bad characters, or is an inmate of any house of ill fame or poor house whether in company with a parent or otherwise or has been abandoned in any way by parents or guardians, and any child within the ages aforesaid, upon petition of his parents, guardian, or if none, those having him in charge, showing that the welfare and best interests of the child require it, may be brought before any judge of a court of record of the county and committed to the state public school, or to an industrial school, in the manner and for the time before provided in this chapter, and subject to like appeal. If for any reason the commitment of any such child cannot be executed at the school designated, the judge may afterwards amend the judgment or commitment, by substituting some other industrial school, and in case of boys so committed who shall remain in any such school after arriving at the age of ten years, the commitment may be amended by the judge making the same, by substituting the Wisconsin industrial school for boys. If the commitment be made on the petition of parents, guardian or persons having the child in charge, the judge may, in his discretion, require them to pay the whole or any part of the expense of maintenance, according to their ability.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 13, 1901.

No. 651, A.] [Published May 17, 1901.

CHAPTER 386.

AN ACT to amend chapter 54 of the statutes of 1898 relating to drains.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Statutes extended to villages. SECTION 1. Chapter 54 of the statutes of 1898, is hereby amended by adding a new section to be known as section 1359a, which shall read as follows: Section 1359a. The provisions of this chapter shall apply to ditches and drains, application for which may be made by six or more freeholders residing within the limits of any incorporated village in this state, which ditch or drain may be located wholly or in part within the limits of an incorporated village. The board of trustees of any incorporated village and the village clerk thereof are hereby given the same power and duties as are given by this chapter to the board of supervisors of towns and town clerks, in laying out ditches and drains, that may lie wholly or in part within the corporate limits of said village and all of the provisions of this chapter which refer to town officers or their offices are made applicable to the corresponding village officers or their offices, and all notices required by the same to be posted, shall be posted in the incorporated village.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 13, 1901.

No. 329, A.] [Published May 17, 1901.

CHAPTER 387.

AN ACT to amend chapter 81 of the laws of 1899 authorizing cities of the third and fourth class to levy a special tax for school purposes.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Limitation as to amount of tax. SECTION 1. Section 1 of chapter 81 of the laws of 1899 is hereby amended so as to read

as follows: Section 1. All cities of the third and fourth class operating under a special or general charter, are hereby authorized to levy annually a special tax for school purposes, not exceeding three and one-half mills on the dollar of the assessed valuation of all the real and personal property in said city for that year, in addition to the total tax now authorized to be levied by such cities.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 13, 1901.

No. 244, A.] [Published May 17, 1901.

CHAPTER 388.

AN ACT to amend section 1265 of the statutes of 1898 relating to the discontinuance, altering and changing of highways.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Proceeding to alter or change highway; as to state roads. SECTION 1. Section 1265 of the statutes of 1898 is hereby amended by striking out all of said section after the word "promoted" at the end of the seventh line thereof, and inserting in lieu thereof the following: provided, however, that no town board shall discontinue any state road without laying out and opening a town highway connecting the portions of such state road separated by such discontinuance of such state road, unless the portions of such state road so disconnected by such discontinuance are already connected with a highway in existence at the time of such discontinuance; and provided further that no town board shall have power or authority to alter, change or discontinue any highway laid out by the county board, so that when amended said section shall read as follows: Section 1265. When any six or more freeholders or applicants for a homestead under the laws of the United States occupying the same, residing in any town, shall wish to have a highway laid out, widened, altered or discontinued in such town, they may make application in writing

to the supervisors of the town in which they reside, for that purpose; and the said supervisors shall proceed to lay out, widen, alter or discontinue such highway, if in their opinion the public good will thereby be promoted; provided, however that no town board shall discontinue any state road without laying out and opening a town highway connecting the portions of such state road separated by such discontinuance of such state road, unless the portions of such state road so disconnected by such discontinuance are already connected with a highway in existence at the time of such discontinuance; and provided further that no town board shall have power or authority to alter, change or discontinue any highway laid out by the county board. Provided further, that this act shall not apply to that part of any state road in any town where an action or proceeding is now pending against the town where such road is situated, to compel the town to restore or repair such highway.

Conflicting laws repealed. All acts and parts of acts changing, controverting or in any manner whatever contravening the provisions of this act, are hereby repealed.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 13, 1901.

No. 642, A.] [Published May 17, 1901.

CHAPTER 389.

AN ACT restoring section 1058 of the statutes of 1898, with amendment, and limiting the time to bring actions involving the validity of section 19 chapter 351 of the laws of 1899.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Correction of error, how made. SECTION 1. Section 1058 of the statutes of 1898, repealed by chapter 323 of the laws of 1899 amended by striking out the word "copying" in the second line of said section, is hereby re-enacted so that said section when so amended shall be and read as follows: Section 1058. If any assessor shall discover that any error was made in any assessment

roll during the preceding year, by which the valuation of any real or personal estate subject to taxation was increased or reduced from the true assessed valuation thereof, he shall correct such error by adding to or subtracting from, as the case may be, the valuation of such property on his assessment roll as fixed by him, the amount omitted from or added to the true assessed valuation in consequence of such error and make a marginal note of such correction, and the result shall be taken as the true valuation of such property for the latter year and a final correction of such error.

Statute of limitations as to actions to declare void act of 1899. SECTION 2. In any case whether occurring hereafter or heretofore, when any assessor shall in good faith attempt to carry out the provisions of section 19, chapter 351 of the laws of 1899, a direct action for the purpose of setting aside or declaring void such act may be brought at any time within ten days but not thereafter, provided that in all cases occurring prior to the taking effect of this act, such direct action may be commenced within ten days after the passage and publication of this act and not thereafter.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 13, 1901.

No. 168, A.] [Published May 17, 1901.

CHAPTER 390.

AN ACT relating to saving fund bank deposit books.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Gift sale, etc., of book to be in writing. SECTION 1. No gift, sale, assignment or transfer of any saving fund bank book bearing evidence of bank deposits or of any interest in the deposits represented thereby, shall be valid unless the same shall be in writing and the same or a copy thereof delivered to the bank issuing such bank deposit book.

played in heavy type over each group of electors residing on such street within the precinct boundaries, and such streets shall be arranged in successive geographical order from east to west and north to south.

In cities of first class; how often made. SECTION 2. In all cities of the first class such inspectors shall make a new registry of electors for each municipal and general election and no previous registry or registry list shall be copied or used in whole or in part in making the same and no person's name shall be placed upon such registry unless the elector appear in person before the inspectors and request that his name be registered.

Conflicting laws repealed. SECTION 3. All acts or parts of acts contravening the provisions of this act are hereby repealed.

SECTION 4. This act shall take effect and be in force, from and after its passage and publication.

Approved May 13, 1901.

No. 599, A.] [Published May 17, 1901.

CHAPTER 394.

AN ACT to empower the district attorney of any county by and with the authority of a majority of the county board of supervisors to appoint one or more assistants, a stenographer and a clerk, and to provide for the fixing and payment of salaries to such appointees.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Majority of county board to consent to appointments. SECTION 1. The district attorney of any county, by and with the authority and consent of a majority of all members of the county board of supervisors of said county, and at a regular adjourned or special meeting thereof, and when the amount of work requires it, may appoint one or more assistants to aid him in the performance of the duties of his office. Such assistants shall be attorneys admitted to practice within the state of Wisconsin. Said district attorney may also, by and with the authority and

direction of a majority of all members of the county board of supervisors of said county, and when necessary, appoint a stenographer and a clerk, to assist in the work of his office. Such assistants, stenographer and clerk, shall each receive for compensation a salary to be fixed by a resolution of the county board of supervisors adopted at a regular, adjourned or special meeting thereof. All salaries of such assistants, stenographer or clerk, when so fixed shall be paid from the treasury of such county at the same time the salaries of other county officers are paid. The assistant district attorneys so appointed, shall be fully authorized and empowered to perform all the duties of the district attorney, except the signing of indictments and informations. Any assistant district attorney, so appointed, shall not be required to give any official bond, but the district attorney making any such appointment shall be responsible and liable upon his official bond for the official acts of such assistant district attorney.

Existing laws not affected. SECTION 2. Nothing in the provisions of this act shall be construed as modifying or repealing any existing act or law of the state of Wisconsin.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 13, 1901.

No. 652, A.] [Published May 17, 1901.

CHAPTER 395.

AN ACT to change the time of holding the circuit court in Pierce county.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Date of terms. SECTION 1. The general terms of the circuit court for the county of Pierce shall be held on the second Monday of May, and the third Monday of November, in each year.

Conflicting laws repealed. SECTION 2. All provisions of law in conflict with the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in force, from and after the first day of July in the year 1901.

Approved May 13, 1901.

No. 368, A.] [Published May 17, 1901.

CHAPTER 396.

AN ACT fixing the number of assessors in cities of the fourth class, incorporated by special act.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Power of council; procedure. SECTION 1. In all cities of the fourth class, incorporated by special act, the common council may, by an ordinance adopted for that purpose, by a three-fourths vote of all the members of the council elect, determine the number of assessors for said city. No such ordinance shall be introduced except at a regular meeting of the council and no action shall be taken thereon before the next regular meeting thereof nor until it shall be published at least once in each week for three successive weeks in the official city paper, if there be one and if there be none, in some newspaper published in the county where the city is located to be designated by the council, together with a notice of the time said ordinance will be considered.

Conflicting laws repealed. SECTION 2. All acts and parts of acts and all provisions of city charters inconsistent with or contravening any of the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 13, 1901.

No. 423, A.] [Published May 17, 1901.

CHAPTER 397.

AN ACT relating to costs, and adding section 4041a to the statutes of 1898.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Court may allow attorney's fees. SECTION 1. A new section is hereby added to the statutes of 1898, to be numbered and read as follows: Section 4041a. Any court of record, in contests arising therein, upon application for the probate of any will, in its discretion, may allow to the proponent of such will a reasonable attorney's fee, to be paid out of the estate of the decedent and may also in its discretion, allow to the contestant if successful in the circuit court a reasonable attorney's fee out of said estate for services in such contest in said circuit court.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 13, 1901.

No. 657, A.] [Published May 17, 1901.

CHAPTER 398.

AN ACT to apportion and district anew the state of Wisconsin into congressional districts.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Eleven congressional districts; how composed. SECTION 1. Until otherwise provided by law, the state is divided into eleven congressional districts, each of which shall be entitled to elect one representative in the congress of the United States. The counties of Racine, Kenosha, Walworth, Rock, Green and Lafayette shall constitute the first district. The counties of Jeffer-

son, Dane, Columbia, Green Lake, Marquette and Adams shall constitute the second district. The counties of Grant, Crawford, Richland, Sauk, Juneau, Vernon and Iowa shall constitute the third district. The second, third, fourth, fifth, seventh, eighth and twenty-third, eleventh, twelfth, fourteenth, fifteenth, sixteenth and seventeenth wards of the city of Milwaukee, together with the following sub-divisions of Milwaukee county: city of Wauwatosa, city of South Milwaukee, village of Cudahy, town of Lake, town of Oak Creek, town of Franklin, town of Greenfield and town of Wauwatosa, shall constitute the fourth district. The first, sixth, ninth, tenth, thirteenth, eighteenth, nineteenth and twenty-second, twentieth and twenty-first wards of the city of Milwaukee, together with the following subdivisions of Milwaukee county: village of North Milwaukee, village of Whitefish Bay, village of East Milwaukee, town of Milwaukee, town of Granville and the county of Waukesha, shall constitute the fifth district. The counties of Sheboygan, Fond du Lac, Dodge, Washington and Ozaukee shall constitute the sixth district. The counties of Pepin, Buffalo, Trempealeau, Jackson, Eau Claire, Clark, Monroe and La Crosse shall constitute the seventh district. The counties of Portage, Waupaca, Waushara, Winnebago, Calumet and Manitowoc shall constitute the eighth district. The counties of Brown, Kewaunee, Door, Outagamie, Oconto and Marinette, shall constitute the ninth district. The counties of Iron, Vilas, Oneida, Forest, Florence, Langlade, Lincoln, Shawano, Marathon, Taylor, Price, Ashland and Wood, shall constitute the tenth district. The counties of Douglas, Sawyer, Pierce, Bayfield, Barron, Dunn, Burnett, Polk, Chippewa, Washburn and St. Croix, shall constitute the eleventh, district.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 13, 1901.

No. 15, S.] [Published May 16, 1901.

CHAPTER 399.

AN ACT to impose conditions on foreign corporations, joint stock companies, express companies, doing business in this state, providing a penalty for a violation thereof, to amend section 1770b of the statutes of 1898 and adding section 1770c, 1770d and 1770e to the statutes of 1898.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Statement as to proportion of capital stock represented by Wisconsin interests. SECTION 1. Section 1770b of the statutes of 1898 is hereby amended by adding at the end thereof the following words: "and by its president, secretary or any officer thereof, shall make and file with the secretary of state, with the articles above provided for a statement, duly sworn to, of the proportion of capital stock of said association, company or corporation which is represented in the state of Wisconsin by its property located and business transacted therein, and such association, company or corporation shall be required to pay into the office of the secretary of this state upon the proportion of its capital stock represented by its property and business in Wisconsin, one dollar for every one thousand dollars in its capital stock in excess of twenty-five thousand dollars. And in case of an increase of capital stock by amendment, one dollar for every one thousand dollars of said increase; provided that said payment in excess of twenty-five dollars, shall not be required from any corporation upon which a license fee is imposed under other sections of these statutes."

Secretary of state to issue license. SECTION 2. There is hereby created and added to the statutes of 1898 a new section to be known as section 1770c, which shall read as follows: Section 1770c. The secretary of state shall, upon being satisfied that such foreign corporations, joint stock company, express company, has fully complied with the requirements of the preceding section, and all other provisions of law governing such corporations or associations, deliver to such corporation or association, as the case may be, a license to transact business in this state, which such license shall continue in force until revoked. And

such license shall contain the conditions upon which such foreign corporation or association is permitted to do business in this state.

Foreign corporations not to transact business unless licensed. SECTION 3. There is hereby created and added to the statutes of 1898 a new section, to be known as section 1770d which shall read as follows: Section 1770d. No such foreign corporation or association, except such as have heretofore filed with the secretary of state copies of their articles of incorporation or association and have complied with the laws then in force, shall transact any business in this state without first having paid the license fee prescribed by section 1770b and obtained a license as provided in section 1770c.

Jurisdiction of circuit courts over. SECTION 4. There is hereby created and added to the statutes of 1898 a new section, to be known as section 1770e, which shall read as follows: Section 1770e. The circuit courts shall have jurisdiction to give proper remedies to all persons injured or damnified or threatened with injury or damage, by any unlawful or illegal act of any such foreign corporation or association, or by any violation of any provision of law, and for the purpose of enforcing any of the penalties imposed upon such foreign corporations or associations by law.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved May 14, 1901.

No. 60, S.] [Published May 17, 1901.

CHAPTER 400.

AN ACT to amend section 158, chapter 11, of the statutes of 1898, defining the fiscal year of the state.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Fiscal year defined; duty of departments. SECTION 1. Section 158, chapter 11, of the statutes of 1898 is hereby amended by striking out the word "October" where the same occurs in the

second line of said section, and by inserting in lieu thereof the word "July;" and said section is hereby further amended by striking out the word "September" where the same occurs in the second and third lines of said section, and by inserting in lieu thereof the word "June;" and said section is further amended by striking out the word "September" where the same occurs in the eighth line of said section, and by inserting in lieu thereof the word "June," and by adding to said section the following words: "and the fiscal year of all departments, boards and bodies connected with the state government in any manner shall commence and close on the same dates as the fiscal year of the state;" so that said section, when amended, shall read as follows: Section 158. The fiscal year of the state shall commence on the first day of July in each year and close on the thirtieth day of June next succeeding. All books and accounts of the secretary of state and of the state treasurer shall be kept, and all the duties of those officers shall be performed with reference to the beginning and ending of the fiscal year. All officers and persons required to render annual accounts to the secretary of state and treasurer shall close those accounts on the thirtieth day of June in each year, and shall render such accounts as soon thereafter as may be practicable and the fiscal year of all departments, boards and bodies connected with the state government in any manner shall commence and close on the same dates as the fiscal year as the state."

SECTION 2. This act shall take effect and be in force from and after January 1st 1902.

Approved May 14, 1901.

No. 64, S.] [Published May 17, 1901.

CHAPTER 401.

AN ACT to amend section 4608a of the statutes of 1898 relating to the transportation of corpses dead of contagious diseases.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Powers of state board of health; provisions as to transportation; penalty. SECTION 1. Section 4608a, statutes of 1898, is hereby amended by striking out the following words in line four, "diphtheria," "scarlet fever," "leprosy," and inserting the words "bubonic plague," and striking out in line eight the word "anthrax" and inserting the word "tuberculosis," and after the word "provided," in the sixth line, insert the following: "The state board of health shall make such rules and regulations as in their judgment they may deem necessary for the transportation of the bodies of persons dead of diphtheria, (membraneous croup), scarlet fever, (scarletina or scarlet rash), glanders, anthrax, or leprosy, providing, however, that such rules and regulations shall conform to the rules and regulations in force in adjoining states, and those promulgated by the national baggage masters' association," so that the section when so amended shall read as follows: Section 4608a. Any person who shall for himself or as the agent or servant of another person, or corporation, transport or deliver for transportation the body of any person dead of smallpox, Asiatic cholera (cholerine), typhus or ship fever, yellow fever, or bubonic plague, shall be punished as hereinafter provided. The state board of health shall make such rules and regulations as in their judgment they may deem necessary for the transportation of the bodies of persons dead of diphtheria (membranous croup), scarlet fever, (scarlatina or scarlet rash), glanders, anthrax, or leprosy, providing, however, that such rules and regulations shall conform, to the rules and regulations in force in adjoining states, and those promulgated by the national baggage masters' association. For all the purposes of this section membraneous croup shall be considered and treated as diphtheria. Any person who shall transport the body of any person dead of tuberculosis, puerperal fever, typhoid fever, erysipelas, measles, or other contagious infectious, or communicable disease, unless the same be wrapped in a sheet thor-

oughly saturated with a strong solution of bi-chloride of mercury, in the proportion of one ounce thereof to a gallon of water, and encased in an air-tight zinc, tin, copper or lead-lined coffin, or in an air-tight iron casket, hermetically sealed, and all enclosed in a strong, tight wooden box; or unless the body be wrapped in a sheet and disinfected by a solution of bi-chloride of mercury, as above, and placed in a strong coffin or casket which is encased in a hermetically sealed zinc, copper or tin case and all enclosed in a strong outside wooden box of material not less than an inch and a half thick; or transport any such body if it is accompanied by any article which has been exposed to the infection of any such disease, or without a permit from a board of health, or other competent health authority, and an affidavit of the undertaker in charge of the body stating that the body has been prepared in accordance with this section, and that the coffin used conforms to the requirements hereof, shall be punished by a fine of not less than twenty-five nor more than five hundred dollars, or by imprisonment in the county jail for not less than thirty days nor more than sixty days, or by both such fine and imprisonment.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 14, 1901.

No. 137, S.] [Published May 17, 1901.

CHAPTER 402.

AN ACT to amend section 796 of the statutes of 1898 relating to elections.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Powers of council, etc.; publication of notice fixing hours of opening and closing polls. SECTION 1. Section 796 of the statutes of 1898, is hereby amended by inserting after the word "afternoon" where it appears in the third line, the words, "provided that the common council of any city containing less than five thousand inhabitants, the town board of any town or board

of trustees of any village in counties of not less than two hundred thousand inhabitants may by resolution adopted and published in some newspaper in such city, town or village, or in case there be no newspaper published therein in some newspaper published in the county in which such city town or village is located at least ten days before the election fix an earlier hour for the opening of the polls in such city, town or village, not earlier than sunrise, and shall remain open not later than seven o'clock in the evening" so that said section when so amended shall read as follows: The polls of the election shall be open between the hours of nine and ten o'clock in the forenoon and shall remain open until five o'clock in the afternoon, provided the common council of any city containing less than five thousand inhabitants, the town board of any town or board of trustees of any village in counties of not less than two hundred thousand inhabitants, may by resolution adopted and published in some newspaper in such city, town or village, or in case there be no newspaper published therein, in some newspaper published in the county in which such city, town or village, is located at least ten days before the election, fix an earlier for the opening of the polls in such city, town or village, not earlier than sunrise, and shall remain open not later than seven o'clock in the evening. and the inspectors shall cause proclamation to be made at the opening of the polls and at the closing thereof and proclamation in like manner at least one hour before the closing of the polls, specifying the hour at which the polls of the election will be closed.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 14, 1901.

No. 358, S.] [Published May 17, 1901.

CHAPTER 403.

AN ACT amending section 562a of the statutes of 1898 relating to investigations by the governor so as to extend its provisions to all state institutions.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Power of governor; compensation of person appointed. SECTION 1. Section 562a of the statutes of 1898 is hereby amended so as to read as follows: Section 562a. Whenever the governor shall deem it expedient to have an investigation made of any charitable, reformatory or penal institutions of the state or of any matter connected therewith, or of any other state institution, or employe in any of said institutions, he may appoint a suitable person, male or female, in his discretion to make such investigation and shall require a written report thereof. Such person shall receive a compensation of six dollars and fifty cents per day for each day actually and necessarily required in performing the duties imposed upon him and be reimbursed all actual expenses thereby incurred; such compensation and expenses being payable from the general fund.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 14, 1901.

No. 138, S.] [Published May 17, 1901.

CHAPTER 404.

AN ACT to amend section 49 of the statutes of 1898, as amended by chapter 72 of the laws of 1899, relating to elections.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Polls, when to open and close. SECTION 1. Section 49 of the statutes for 1898 as amended by chapter 72 laws of Wisconsin for 1899 is hereby amended by inserting after the word "inhabitants" where it appears in the thirty-first line the words "and all towns and villages in counties of not less than two hundred thousand inhabitants" so said section when so amended shall read as follows: Section 49. The polls of every election in every city of five thousand inhabitants or over, shall be opened at six o'clock in the morning and be closed at seven o'clock in the evening of the same day. The polls of the election held in other cities, and in towns and villages on the Tuesday next succeeding the first Monday in November, shall be open at nine o'clock in the forenoon, or as soon thereafter as may be, and close at sundown, provided that the common council of any city, containing less than five thousand inhabitants, the town board of any town or board of trustees of any village, may by resolution adopted and published in some newspaper in such city, town or village, or in case there be no newspaper published therein, then in some newspaper published in the county in which such city, town or village is located, at least ten days before the election, fix an earlier hour for the opening of the polls in such city, town or village, not earlier than sunrise; cities of less than five thousand inhabitants, and all towns and villages in counties of not less than two hundred thousand inhabitants may, by said resolution, open the polls not earlier than six o'clock in the morning and shall remain open not later than seven o'clock in the evening. Inspectors of election shall cause public proclamation to be made at the opening and closing of the polls.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 14, 1901.

No. 287, S.] [Published May 17, 1901.

CHAPTER 405.

AN ACT providing for the publication of the blue book and amending sections 119, 120, and 121 of the statutes of 1898.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Commissioner of labor to compile blue book. SECTION 1. Section 119 of the statutes of 1898 is hereby amended so as to read when so amended, as follows: Section 119. The commissioner of the bureau of labor and industrial statistics shall compile and prepare and cause to be printed by the state printer biennially, in such years as the legislature shall meet in regular session, for the use of the senate and assembly, a book to be denominated "the blue book of the state of Wisconsin," which shall contain Jefferson's manual, the rules and orders of the senate and assembly, joint rules of the senate and assembly, lists of senators and assemblymen and employees of each house, diagrams of the senate and assembly chambers, statistical and other information of the same description with that heretofore published in the "legislative manual," with such other matter as may be deemed useful.

Stereotyped plates. SECTION 2. Section 120 of the statutes of 1898 is hereby amended so as to read when so amended, as follows: Section 120. The commissioner of the bureau of labor and industrial statistics shall, whenever the stereotype plates of matter embraced in the blue book become so worn as to make it necessary, procure for the state new stereotype plates of such matter as can be stereotyped with advantage to the state, which plates shall be preserved by him and be used by the state printer, under his direction, in publishing the blue book. The state printer shall receive no pay for the composition of any matter so stereotyped, except for the manufacture of the plates, and shall be answerable to the state for any loss or damage which shall result to them while in his possession if caused otherwise than by reasonable use.

Distribution of blue book; expense of, how paid. SECTION 3. Section 121 of the statutes of 1898 as amended by chapter 291 of the laws of 1899 is hereby amended so as to read when so amended, as follows: Section 121. The commissioner of the

bureau of labor and industrial statistics, shall cause to be printed a sufficient number of copies of the blue book to make the distribution herein provided for: To each member of the legislature and each elective state officer, two hundred copies; the secretary of state shall in addition to the number allotted to him under the provisions of this act, receive three hundred copies for exchange with other states, and to supply public libraries of other states; to the chief clerk and the sergeant-at-arms of each house, fifty copies each, and the assistant of each ten copies; to the journal clerk, the book-keeper and assistant of the latter in each house, five copies, and to each of the other clerks and employes whose names appear in said book, and to newspaper reporters in regular attendance on the legislature, one copy each. To each judge or justice of a court of record in this state, including the judges of United States courts sitting therein, one copy; to the clerk of the supreme court and to the clerk of each such United States court, one copy each. To each member of every state board, to the senators and representatives in congress and to the members-elect as such, the state horticultural society, the state dairymen's association, the academy of arts and sciences, the home office of the Wisconsin humane society, the state university, each college, normal school, academy, free high school, free public library in the state and each of the penal, charitable and reformatory institutions of the state, one copy. To the county clerks and county superintendents of schools, one copy each, which shall be delivered to their successors in office. To the state historical society and the state library, fifty copies each. To the adjutant-general for the use of the national guard, fifty copies. To the state superintendent, who shall distribute the same to the county and city superintendents of schools, a sufficient number to supply each school district with one copy, which shall be the property of the district thus supplied and shall be kept in the school house to be used as other reference books. To the secretary of state, who shall deliver them to the superintendent of public property at the opening of each regular session of the legislature, one hundred and thirty-seven copies which shall then be by said superintendent distributed to the members and elective officers thereof. One copy of such blue book for each justice of the supreme court, state officer, each member and elective officer of the legislature, each senator and member of congress, newspaper reporter in regular attendance upon the legislature, assistant clerk and assistant sergeant-at-arms shall be bound in half morocco and be lettered with the name of the person entitled to receive it. The copies delivered to public libraries, county clerks and county superin-

tendents shall be for the use of all persons desiring to use the same. The expense of publishing such blue book, other than such as is covered by contract with the state printer, shall be fixed by the commissioner of the bureau of labor and industrial statistics, shall be audited by the secretary of state and paid out of the state treasury.

SECTION 4. This act shall take effect and be in force, from and after its passage and publication.

Approved May 14, 1901.

No. 296, S.] [Published May 17, 1901.

CHAPTER 406.

AN ACT to authorize the governor in behalf of the state to co-operate with the city of Madison in paving the streets surrounding the capitol park, and making an appropriation.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Power of governor; state to be protected from damages. SECTION 1. The governor is hereby authorized to co-operate with the mayor and common council of the city of Madison in newly paving with asphaltum, the streets and street corners abutting the four sides of the capitol park in the city of Madison, the cost to the state for such paving not to exceed fifteen thousand dollars. Nothing herein contained shall be construed as authorizing the governor on behalf of the state to aid in repairing and re-paving such streets after such paving is once completed. In any arrangement or contract entered into for the purposes herein named the state shall be fully protected from all possible damages that may arise either in the progress of such negotiation and work, or by reason of any neglect on the part of the city of Madison thereafter in keeping such streets in good repair.

Appropriation. SECTION 2. There is hereby appropriated out of the funds in the state treasury not otherwise appropriated, a sum sufficient to carry out the purposes of this act.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved May 14, 1901.

No. 319, S.] [Published May 17, 1901.

CHAPTER 407.

AN ACT to repeal section 15 of chapter 311 of the laws of 1899, relating to the taking of fish by the commissioners of fisheries for the purpose of securing eggs for artificial propagation.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Repealed law. SECTION 1. Section 15 of chapter 311 of the laws of 1899 is hereby repealed.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 14, 1901.

No. 323, S.] [Published May 17, 1901.

CHAPTER 408.

AN ACT to amend sections 1498, 1498a and 1498b of the statutes of 1898 as amended by chapter 312 laws of 1899, providing additional duties for the game wardens and deputy game wardens.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Duties and salary of fish and game warden; to perform duties of fire warden. SECTION 1. Section 1498 of the statutes of 1898 is hereby amended by inserting after the word "qualified" in line four of said section, "unless sooner removed" by inserting after the word "for" at the beginning of line nine in said section, he shall also perform the same duties as are in section 1636c as amended by chapter 353, laws of 1899, prescribed for
wardens, and shall further report to the land commissioners
information relating to the state lands as shall from time to
be required and concerning any trespasses thereon which

may come to his knowledge," and by inserting after the word "shall" in line nine of said section "devote all his time to the duties of his office and shall;" so that said section when so amended shall be and read as follows: Section 1498. The governor shall appoint a state fish and game warden who shall hold his office for the term of two years from the date of his appointment and until his successor is appointed and qualified, unless sooner removed; and any vacancy occurring during said term shall be filled by the governor for the residue of the term. It shall be the duty of said warden to secure the enforcement of the law for the preservation of fish and game and to bring or cause to be brought actions and proceedings in the name of the state to recover any and all fines and penalties provided for. He shall also perform the same duties as are in section 1636c, as amended by chapter 353, laws of 1899, prescribed for fire wardens, and shall further report to the land commissioners any information relating to the state lands as shall from time to time be required and concerning any trespasses thereon which may come to his knowledge. Such warden shall devote all his time to the duties of his office and shall receive a salary of eighteen hundred dollars per year and his actual expenses and disbursements to be audited upon vouchers therefor approved by the governor. He shall also be allowed the necessary printing, stationery and postage and shall be furnished a suitable office in the capitol.

Special deputy and county wardens made fire wardens. SECTION 2. The state fish and game warden appointed under the provisions of section 1498, statutes of 1898, all special deputy wardens appointed under the provisions of 1498a and all county wardens appointed under 1498b, statutes of 1898, and act amendatory thereof, are hereby appointed and created fire wardens within the meaning and under the provisions of this act. No compensation shall be paid fish and game wardens acting as fire wardens under the provisions of this act other than that received as game wardens.

Report of deputies; as to forest fires. SECTION 3. Section 3 of chapter 312 laws of 1899 is hereby amended, by adding at the end of said section. "They shall also promptly make report concerning forest fires and any trespasses upon the public lands that may come to their knowledge" so that said section when so amended shall be and read as follows: Section 3. All deputy wardens, whether special or county shall make it [to] the state fish and game warden full and complete reports of their transactions as such, according to the demand of the state fish

and game warden and shall at all times be held subject to his discretion and control in the performance of their duties. They shall also gather and transmit to the state fish and game warden any and all statistical information relative to fish and game as said fish and game warden shall from time to time call for. They shall also promptly make report concerning forest fires and any trespasses upon the public lands that may come to their knowledge.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved May 14, 1901.

No. 360, S.] [Published May 18, 1901.

CHAPTER 409.

AN ACT authorizing the appointment of an additional factory inspector and making an appropriation therefor.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Appointee to be a woman. SECTION 1. The commissioner of labor and industrial statistics shall have power to appoint one assistant factory inspector in addition to those now authorized by law who shall be a woman and who shall perform her duties under his direction and who may be removed by him for cause.

Salary of. SECTION 2. Said additional assistant factory inspector shall be paid a salary at the rate of one thousand dollars per annum, together with necessary traveling expenses to be paid out of money in the general fund not otherwise appropriated.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved May 14, 1901.

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Approved May 14, 1901.

and the name of the particular proceeding, transaction or action in which the same is rendered, and shall carry the items of charges into a ledger account, with proper reference to such journal entries, and he shall pay to the county treasurer all fees, per diem and other emoluments of whatever kind received by him, and shall at the end of each quarter of the year file with the county clerk, to be laid before the county board, a sworn statement of all such fees, per diem and emoluments collected by him or for him during the quarter of the year, and all the expenses of his office during such time. And the salaries of the clerk of the circuit court, his deputies and clerks, so paid, shall be in lieu of all fees, per diem, and compensation for services rendered by them.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 14, 1901.

No. 402, S.] [Published May 18, 1901.

CHAPTER 412.

AN ACT relating to the distribution of bills introduced into the legislature and making an appropriation therefor.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Duty of chief clerks. SECTION 1. It is hereby made the duty of the chief clerks of the senate and assembly to send to each county clerk in this state, copies of all bills, resolutions joint resolutions and memorials introduced into the senate and assembly, respectively and senate and assembly journals as soon as printed, and they shall at the time of sending the first of said bills also send the proper appliance for filing the same.

Duty of county clerks. SECTION 2. It is hereby made the duty of each county clerk in this state, to file the bills, resolutions joint resolutions and memorials introduced into the legislature as fast as received and to keep the same on file in his office open to public examination and inspection.

register of deeds, his deputies, clerks and copyists so paid, shall be in lieu of all fees, per diem and compensation for services rendered by them.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 14, 1901.

No. 369, S.] [Published May 18, 1901.

CHAPTER 411.

AN ACT to empower the county board to fix the salary of the clerk of the circuit court, his deputies and clerks, and the number thereof.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Change from fee to salary system, how effected; duty of clerk.

SECTION 1. The county board of any county in this state may, by resolution, change the method of compensating the clerk of the circuit court, his deputies and clerks from fees, now provided by law, to salaries, and shall at the same time fix the amounts of the salaries to be paid the clerk of the circuit court to be elected during the ensuing year, his deputies and clerks, and the number thereof to be appointed by the clerk of the circuit court, and paid by the county, provided, that whenever any county board so changes the method of compensating the clerk of the circuit court his deputies and clerks, their salaries, and the number thereof, the same shall remain and be the salaries of the clerk of the circuit court, his deputies and clerks, and shall fix the number thereof during the term of the clerk of the circuit court. And the county board of such county, shall, thereafter at their annual meeting preceding the election of the clerk of the circuit court fix the amounts of the salaries of the clerk of the circuit court to be elected and his deputies and clerks, and the number thereof, for the term. Such salaries shall be paid at the end of each month, and the clerk of the circuit court shall keep accurate books of account in which shall be entered from day to day in a journal, the items of service and the fees

and the name of the particular proceeding, transaction or action in which the same is rendered, and shall carry the items of charges into a ledger account, with proper reference to such journal entries, and he shall pay to the county treasurer all fees, per diem and other emoluments of whatever kind received by him, and shall at the end of each quarter of the year file with the county clerk, to be laid before the county board, a sworn statement of all such fees, per diem and emoluments collected by him or for him during the quarter of the year, and all the expenses of his office during such time. And the salaries of the clerk of the circuit court, his deputies and clerks, so paid, shall be in lieu of all fees, per diem, and compensation for services rendered by them.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 14, 1901.

No. 402, S.] [Published May 18, 1901.

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Duty of county clerks. SECTION 2. It is hereby made the duty of each county clerk in this state, to file the bills, resolutions joint resolutions and memorials introduced into the legislature as fast as received and to keep the same on file in his office open to public examination and inspection.

No. 416, S.] [Published May 18, 1901.

CHAPTER 415.

AN ACT to exempt from taxation lands possessed and used by cities and villages for public parks and grounds and to authorize the cancellation of certificates of sale of such lands for unpaid taxes.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

What lands exempt; cancellation of certificates, power of county board. SECTION 1. Any and all lands owned and possessed, exclusively for the public use as public parks or grounds by any city or village in this state shall hereafter be exempt from taxation. Any certificate or certificates of sale of such lands for unpaid taxes now or hereafter held by any county board may be canceled by the vote of a major part of the supervisors of such board in the discretion of such board and upon application therefor by the city or village having possession of such lands.

Conflicting laws repealed. SECTION 2. All acts or parts of acts contravening the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved May 14, 1901.

No. 417, S.] [Published May 18, 1901.

CHAPTER 416.

AN ACT to amend section 521 and 541 statutes of 1898, relating to the township system of school government.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Annual meeting of sub-districts, when held. SECTION 1. Section 541 statutes of 1898 is hereby amended by striking out, in the second line thereof, the word "July," and inserting in lieu thereof the word "June;" so that said section, when so amended, shall read as follows: Section 541. The annual meeting of each sub-district shall be held on the first Monday in June unless that be a legal holiday, in which case it shall be held on the next day at seven o'clock in the afternoon. Such meeting shall be held in the school-house in the sub-district if there be one; and if there be none, at such place as the last annual meeting was held, unless such meeting shall have agreed upon another place, in which case it shall be held at such place.

Meetings of board, when held. SECTION 2. Section 521 statutes of 1898 is hereby amended by striking out the word "July," in the third line thereof, and inserting in lieu thereof the word "June;" so that said section, when so amended, shall read as follows: Section 521. The said board shall hold two regular meetings in each year. The first shall be the annual meeting and shall occur on the second Monday in June, and be held at, or as near as may be, the place where the last annual election was held; the second shall be the semi-annual meeting and shall occur on the third Monday in March, and be held at such place as the board may designate by rule or as was fixed at the preceding annual meeting. The hour of meeting shall be ten o'clock in the forenoon.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved May 14, 1901.

No. 426, S.] [Published May 18, 1901.

CHAPTER 417.

AN ACT to re-enact section 1211 of the statutes of 1898 and to repeal section 2 of chapter 308 of the laws of 1899.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Statement of gross earnings, etc., to state treasurer. SECTION 1. Section 1211 of the statutes of 1898 is hereby amended to read as follows: Section 1211. Every steam or electric railroad company and every person operating a railroad in this state, except railroads operated by horsepower or city street railroads wholly within such city shall on or before the tenth day of February in each year, make and return to the state treasurer in such form and upon such blank as shall be furnished by him, a true statement of the gross earnings of their respective roads for the preceding calendar year, of the number of miles of road operated by each such company or person and the gross earnings per mile per annum during such year; which statement shall be verified by the oath of the secretary and treasurer of such companies or of the person so operating such railroad.

Repealed law. SECTION 2. Section 2 of chapter 308 of the laws of 1899 is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved May 14, 1901.

No. 420, S.] [Published May 24, 1901.

CHAPTER 418.

AN ACT relating to employes of the state, amending sections 170, 288 and 630 of the statutes of 1898 and repealing section 169a of said statutes.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Reducing labor force. SECTION 1. Section 288 of the statutes of 1898 is hereby amended by striking out the word "eighteen" where the same occurs in the seventh line of said section, and inserting in lieu thereof the word "twelve;" also by striking out of said seventh line the words "a storekeeper," and out of the eighth line the words "a foreman of the labor force," also by inserting after the word "in," in the fifteenth line of said section the words, "the executive residence and in,"

Abolishing volunteer clerk. SECTION 2. Section 630 of the statutes of 1898 is hereby amended by striking out the words "and volunteer service clerk," where the same occur in the third line of said section.

Salaries abolished. SECTION 3. Section 170 of the statutes of 1898 is hereby amended by striking out the word "eighteen" where the same occurs in the first line on page 261 of said statutes, and inserting in lieu thereof the word "twelve." Said section is hereby further amended by striking out the words "the storekeeper, seven hundred and forty-four dollars," where the same occur in the second and third lines on said page 261, and the words "the foreman of the labor force, nine hundred dollars," where the same occur in the fourth line on said page 261. Said section is further amended by striking out the words "the volunteer service clerk, twelve hundred dollars," where the same occur in the fifth line on page 262 of said statutes.

State draughtsman, abolished. SECTION 4. Section 169a of "the statutes of 1898" is hereby repealed.

Employes in governor's office. SECTION 5. Section 1 of chaptre 290 of the laws of 1899 is hereby amended by striking out of said section the words "to the discharge of his duties in keep-

ing the same in a proper state of cleanliness and repair," and by striking out the word "nine" where it occurs in the last line of said section and inserting in lieu thereof the word "six."

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved May 14, 1901.

No. 428, S.] [Published May 18, 1901.

CHAPTER 419.

AN ACT to amend chapter 290 of the laws of 1899 relating to employes, in the governor's office.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Office force of governor; extra pay roll. SECTION 1. Section 1 of chapter 290 of the laws of 1899 is hereby amended by striking out of said section the words "to the discharge of his duties in keeping the same in a proper state of cleanliness and repair," and by striking out the word nine where it appears in the last line of said section and inserting in lieu thereof the word "six" so that said section when so amended will read as follows: The governor is authorized to employ, for his office, one stenographer and one messenger, and such additional help as he may from time to time deem necessary, and fix their compensation; and the superintendent of public property is authorized, by and with the approval of the governor, to employ such extra help in and about the capitol and public grounds as may be necessary, and fix their compensation. Provided, that the compensation so fixed by said superintendent shall not exceed the amount now fixed by law for similar service, and that the total amount expended for such purpose in any one year shall not exceed six thousand dollars.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 14, 1901.

No. 13, S.] [Published May 18, 1901.

CHAPTER 420.

AN ACT to create free employment offices in certain cities, regulating the same, providing for the appointment of a superintendent, fixing his salary, licensing private employment agencies, fixing penalties, for a violation of its provisions and making appropriation therefor.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

In what cities. SECTION 1. A free employment office is hereby created in each city of a population of thirty thousand or over according to the last state or national census, for the purpose of receiving applications of persons seeking employment, and applications of persons seeking to employ labor. Such office shall be designated and known as Wisconsin free employment office.

Appointment of superintendent; salary. SECTION 2. Within thirty days after this act shall have been in force, the commissioner of the bureau of labor and industrial statistics shall recommend, and the governor, shall appoint a superintendent for each of the offices created by section one of this act, and who shall devote their entire time to the duties of their respective offices. The tenure of such appointment shall be two years, unless sooner removed for cause. The salary of each superintendent shall be twelve hundred dollars per annum, which sum, together with the proper amount for defraying the necessary costs of equipping and maintaining the respective offices, rent for such offices not to exceed five hundred dollars per annum, shall be paid out of any funds in the state treasury not otherwise appropriated.

Duty of; sign for office; registration of applicants. SECTION 3. The superintendent of each such free employment office shall, within sixty days after appointment, open an office in such locality as shall have been agreed upon between such superintendent and the commissioner of the bureau of labor and industrial statistics as being most appropriate for the purpose intended; provided that said employment office shall be occupied in conjunction with the bureau of labor and industrial statistics when such bureau has an office in any of said cities, and in case said bureau

has no office in any of said cities, then and in that case the city council wherein said free employment office is established shall furnish and equip an office for said employment bureau, either in conjunction with a department of said city or separately without cost to the state, such office to be provided with a sufficient number of rooms or apartments to enable him to provide, and he shall so provide, a separate room or apartment for the use of women registering for situations or help. Upon the outside of each such office, in position and manner to secure the fullest public attention, shall be placed a sign which shall read in the English language "Wisconsin Free Employment Office," and the same shall appear either upon the outside windows or upon signs in such other languages as the location of such office shall render advisable. The superintendent of each such free employment office shall receive and record in books kept for that purpose names of all persons applying for employment or help, designating opposite the name and address of each applicant the character of employment or help desired. Separate registers for applicants for employment shall be kept, showing the age, sex, nativity, trade or occupation of each applicant, the cause and duration of non-employment, whether married or single, the number of dependent children, together with such other facts as may be required by the bureau of labor and industrial statistics to be used by said bureau: Provided, that no such special registers shall be open to public inspection at any time, and that such statistical and sociological data as the bureau of labor may require shall be held in confidence by said bureau, and so published as not to reveal the identity of any applicant. And, provided, further, that any applicant who shall decline to answer the questions contained in special register shall not thereby forfeit any right to any employment the office might secure.

Weekly report of superintendent; combination lists. SECTION 4. Each superintendent shall report on Thursday of each week to the state bureau of labor and industrial statistics the number of applications for positions and for help received during the preceding week, also those unfilled applications remaining on the books at the beginning of the week. Such lists shall not contain the names or addresses of any applicant, but shall show the number of situations desired and the number of persons wanted at each specified trade or occupation. It shall also show the number and character of the positions secured during the preceding week. Upon receipt of these lists, and not later than Saturday of each week, the commissioner of the said bureau of labor and industrial statistics shall cause to be printed a sheet showing separately and in combination the lists received from all such

free employment offices; and he shall cause a sufficient number of such sheets to be printed to enable him to mail, and he shall so mail, on Saturday of each week, two of said sheets to each superintendent of a free employment office, one to be filed by said superintendent and one to be conspicuously posted in each such office. A copy of such sheet shall also be mailed on each Saturday by the commissioner of the state bureau of labor and industrial statistics to the state inspector of factories. It is hereby made the duty of said factory inspector to do all he reasonably can to assist in securing situations for such applicants for work, to secure for the free employment offices the co-operation of the employers of labor in factories, to immediately notify the superintendent of free employment offices of any and all vacancies or opportunities of employment that shall come to his notice.

Duty of superintendent as to manufacturers. SECTION 5. It shall be the duty of each such superintendent of a free employment office to immediately put himself in communication with the prinicpal manufacturers, merchants and other employers of labor, and to use all diligence in securing the co-operation of the said employers of labor, with the purposes and objects of such employment offices.

Annual report. SECTION 6. It shall be the duty of each superintendent to make a report to the state bureau of labor and industrial statistics annually, not later than December first of each year, concerning the work of his office for the year ending October first of same year, together with a statement of the expenses of the same, and such reports shall be published by the said bureau of labor and industrial statistics annually. Each such superintendent shall also perform such other duties in the collection of statistics of labor, as the commissioner of the bureau of labor and industrial statistics may require.

No fee to be charged applicant; penalty for clerk's taking. SECTION 7. No fee or compensation shall be charged or received, directly or indirectly, from any person or corporation applying for employment or help through said free employment offices; and any superintendent or clerk who shall accept, directly or indirectly, any fee or compensation from any applicant, or from his or her representative, shall be deemed guilty of a misdemeanor, and, upon conviction shall be fined not less than twenty-five dollars nor more than fifty dollars and imprisoned in the county jail not more than thirty days.

No list to be furnished to employer, where strike is in progress. SECTION 8. In no case shall the superintendent of any free employment office created by this act, furnish or cause to be furnished, workmen or other employes to any applicant for help whose employes are at that time on strike or locked out; nor shall any list of names and addresses of applicants for employment be shown to any employer whose employes are on a strike or locked out; nor shall such list be exposed where it can be copied or used by an employer whose employes are on a strike or locked out.

Term "applicant" defined. SECTION 9. The term "applicant for employment" as used in this act shall be construed to mean any person seeking work of any lawful character, and "applicant for help" shall mean any person or persons seeking help in any legitimate enterprise. Nothing in this act shall be construed to limit the meaning of the term "work" to manual occupation, but it shall include professional service, and any and all other legitimate services.

License for other employment agencies. SECTION 10. No person, firm or corporation in the cities, designated in section one, of this act, shall open, operate or maintain a private employment agency for hire or where a fee is charged to either applicants for employment or for help, without first having obtained a license from the secretary of state, for which license he shall pay one hundred dollars per annum; and no such private agent shall print, publish, or cause to be printed or published, or paint on any sign, window or newspaper publication, a name similar to that of the Wisconsin Free Employment Offices. And any person, firm or corporation violating the provisions of this act, or any part thereof, shall be deemed guilty of a misdemeanor and upon conviction such person, firm or, if a corporation, all the officers thereof, shall be fined not less than twenty-five dollars nor more than fifty dollars.

Dismissal of superintendent, when. SECTION 11. Whenever, in the opinion of the commissioner of the bureau of labor and industrial statistics, the superintendent of any free employment office is not duly diligent in the performance of his duties, he may summon such superintendent to appear before him to show cause why he should not be recommended to the governor for removal, and unless such cause is clearly shown the said commissioner may so recommend. In considering, such a case a low percentage of positions secured to applicants for situations and help registered, lack of intelligent interest in the work, or a

general inaptitude or inefficiency may be deemed by said commissioner sufficient to recommend a removal. And if, in the opinion of the governor, such lack of efficiency cannot be remedied by reproval and discipline, he shall remove such person from office as recommended by said commissioner: provided, that the governor may at any time remove any superintendent or clerk for cause.

Supplies and stationery. SECTION 12. All such printing, blanks, blank books, stationery and postage as may be necessary for the proper conduct of the business of the offices herein created shall be furnished by the secretary of state upon requisition for the same made by the commissioner of the bureau of labor and industrial statistics.

SECTION 13. This act shall take effect and be in force from and after its passage and publication.

Approved May 14, 1901.

No. 113, S.] [Published May 18, 1901.

CHAPTER 421.

AN ACT relating to the Wisconsin dairymen's association, and amendatory of section 1459b of the statutes of 1898, and making an appropriation.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Annual appropriation increased; who to share. SECTION 1. Section 1459b of the statutes of 1898 is hereby amended by striking out the word "two" where it occurs in said section and inserting the word "four" so that said section when amended shall read as follows: Section 1459b. There is hereby annually appropriated out of any money in the treasury not otherwise appropriated the sum of four thousand dollars to the Wisconsin state dairymen's association, provided that one thousand dollars of said amount be expended under the direction of the Southern Wisconsin cheesemakers' association for the benefit and improvement of the Swiss cheese production of the state.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 14, 1901.

No. 12, S.] [Published May 18, 1901

CHAPTER 422.

AN ACT to amend chapter 31 of the statutes of 1898, entitled "an act in relation to the education of the deaf and dumb."

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Inspector for schools for; duties of; salary; state aid, accounting of. SECTION 1. There is hereby added to chapter 31 of the statutes of 1898 a new section, to be known as section 579a, as follows: Section 579a. The state superintendent of public instruction may appoint a competent person who shall act under his direction as inspector of public day schools for the deaf and for the Delavan school for the deaf. When not engaged in the inspection of the schools for the deaf, he may be assigned for such other duties as the state superintendent may determine and designate. The inspector shall receive an annual salary of fifteen hundred dollars and re-imbursements for all actual and necessary traveling expenses incurred, when duly certified by the state superintendent; provided, that no more than five hundred dollars shall be allowed for expenses. The salary and expenses shall be paid in the same manner as the state officers are paid. It shall be the duty of the city or village treasurer receiving the money provided for in section 578 of the statutes of 1898 to render annually to the superintendent of public instruction an itemized statement of all expenditures of said day school. All unexpended moneys appropriated by the state for the maintenance of said schools, shall be returned to the state treasurer before July first of each year. All surplus now on hand with village or city treasurers belonging to the day schools shall be returned to the state treasurer on or before the first day of July, 1901. It shall be the duty of the inspector to report annually to the superintendent of public instruction as to the condition and progress of the day schools, and make such recommendations as he may deem proper for the improvement of the same.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 14, 1901.

No. 10, S.] [Published May 18, 1901.

CHAPTER 423.

AN ACT to compensate Milwaukee county for maintaining insane persons at Milwaukee hospital for insane.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Period of computation; compensation, how secured. SECTION 1. The state shall compensate the county of Milwaukee for all insane persons maintained at public cost at the Milwaukee hospital for the insane, commencing with the year nineteen hundred, at the rate of three dollars and fifty cents per week for each acute insane person, and one dollar and fifty cents per week for each chronic insane person. The first period of computation for such compensation shall be the year nineteen hundred, and each succeeding period of computation for such compensation shall be each succeeding six months next after the expiration of said year. The number of weeks that each insane person has been so maintained during each period of computation, shall be ascertained and the aggregate of such weeks for all insan persons so maintained during said period shall be divided into five equal parts, two-fifths of which shall represent the number of weeks of maintenance for acute insane persons and the other three-fifths the number of weeks of maintenance for chronic insane persons, and upon which compensation shall be computed respectively at the rates above named. The superintendent of said hospital shall, as soon as practicable after the expiration of each such period of computation, prepare a statement giving the name of each insane person maintained at public cost at said hospital during the next preceding period of computation and the number of weeks he or she has been maintained during said period, also showing the aggregate of such weeks for all insane persons so maintained during said period and the amount of compensation to be made by the state to said county

therefor, at the rates and upon the basis above fixed, which statement shall be verified by said superintendent as correct and true in all respects according to the best of his knowledge, information and belief. Said statement thus verified and approved by the board of trustees of said hospital, evidenced by a verified copy of such approval made by the president and secretary of said board, shall be filed with the secretary of state, who shall thereupon draw his warrant for the aggregate amount of compensation specified in said statement in behalf of said county, and shall deliver said warrant to the state treasurer, who shall thereupon pay the amount of said warrant to said Milwaukee county.

Conflicting laws repealed. SECTION 2. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved May 14, 1901.

No. 370, A.] [Published May 18, 1901.

CHAPTER 424.

AN ACT to amend sections 1480 and 1480b of the statutes of 1898 relating to noxious weeds.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

What are noxious weeds; notice to destroy. SECTION 1. Section 1480 of the statutes for the year 1898 is hereby amended so as to read as follows: Section 1480. Every person and corporation shall destroy, upon all lands which he or it shall own, occupy or control, all weeds known as Canada thistle (*circium arvense*), burdock (*lappa officinalis*), white or ox-eye daisy (*leucan themum vulgare*), snap dragon or toad flax (*linaria vulgaris*), cockle burr (*zanthium strumarium*), sow thistle (*souchus arvensis*), sour dock and yellow dock (*rumex crispus*), mustard (*sinapis arvensis*), wild parsnip (*thapsium barbinode*),

Russian thistle (*salsola kali*), and wild barley (*hordeum jubatum*), and at such time and in such manner as shall effectually prevent them from bearing seed; and in like manner shall destroy any of the above mentioned weeds standing or growing upon any land owned, occupied or controlled by him or it out to the center, of any highway, lane or alley thereon; provided, however, that no weeds growing more than one hundred rods from any cultivated field, meadow or pasture lands need be destroyed. If such person or corporation shall fail to so destroy any weeds that, under the provisions of this section, are to be destroyed, within six days after being served with a written notice so to do, by any commissioner of noxious weeds, he shall be punished by a fine of five dollars for every day thereafter during which such neglect shall continue; such written notice shall specify the kinds of weeds to be destroyed by the person or corporation on which it is served, and designate the tract of land on which such weeds are growing, giving the description thereof according to forty-acre subdivisions of sections or other appropriate description; such notice may be served upon any corporation owning, occupying or controlling any land in any town by leaving the same with any agent thereof residing or being therein, and if no agent shall reside or be therein, then by leaving such notice with any agent who shall reside or be in any adjoining town.

Duty of commissioner; compensation of; cost of destruction of weeds, how collected. SECTION 2. Section 1480b of the statutes for the year 1898, is hereby amended so as to read as follows: Section 1480b. Such commissioner shall carefully investigate concerning the existence of noxious weeds in his town, city, village or district; and if any person or corporation, owning, occupying or controlling any lands therein shall neglect to destroy any of the weeds which under the provisions of section 1480 are to be destroyed, and standing or growing on such lands or upon any highway, lane or alley adjoining and nearer to such lands than the center of such highway, lane or alley, he shall serve or cause to be served on such person or corporation the written notice provided for in said section 1480, and if said person or corporation shall fail to comply with the terms of said notice within the time specified in said section 1480, he shall destroy or cause all such weeds to be destroyed and may devote as many days to doing so as the officer appointing him shall direct, and for each day so used in destroying such weeds, he shall receive two dollars upon presenting to the proper treasurer his account therefor, verified by his oath and approved by the chairman, president or mayor, as the case may be. Such account

shall specify by separate items the amount chargeable to each piece of land, describing the same, and shall, after being paid by the treasurer, be filed with town, city or village clerk, who shall enter the amount chargeable to each tract of land in the next tax roll in a column headed "for the destruction of weeds," as a tax on the lands upon which such weeds were destroyed, which tax shall be collected as other taxes are, except in case of railroad lands which are exempt from taxation in the usual way, when the amount chargeable against the same shall be certified by the commissioner to the board of supervisors or trustees or the common council, as the case may be, who shall cause a certified copy thereof to be transmitted to the state treasurer, who shall add the amount designated therein to the sum due from the railroad company owning, occupying or controlling the lands specified as the license fee thereof, and he shall collect the same therefrom as prescribed in sections 1212 and 1213 and return the amount collected to the town, city or village from which such certificate was received. Any such commissioner may enter upon any lands upon which any of the weeds mentioned in section 1480 are growing and cut or otherwise destroy them without being liable to an action for trespass or any other action for damages resulting from such entry and destruction, if reasonable care is exercised in the performance of the duty hereby imposed.

SECTION 3. This act shall take effect and be in force, from and after its passage an publication.

Approved May 14, 1901.

No. 464, A.] [Published May 18, 1901.

CHAPTER 425.

AN ACT to amend section 1863 of the statutes of 1898, relating to extension of street and electric railways into towns and villages.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

May extend railways into adjoining cities; powers of council. SECTION 1. Section 1863 of the statutes of 1898 is hereby amended by inserting the word "city" after the word "any" in the eighth line of said section; after the word "one" in the ninth line of said section and after the word "other" in the tenth line of said section; by inserting the words "common council of any city the," after the word "the" where the same occurs the second time in the twelfth line of said section; by inserting the words "city or" after the word "any" in the sixteenth line of said section; by inserting after the word "the" where the same occurs the third time in the sixteenth line of said section, the words "common council or" and by inserting the words "common council or" after the word "the" where the same occurs the second time in the eighteenth line of said section; so that said section when amended shall read as follows: Section 1863. Any street railway corporation may extend its railway to any point within any town adjoining the municipality from which it derived its franchise, and for such purpose may with the written consent of a majority of the supervisors of such town lay and operate its railway upon, across and along any highway but not so as to obstruct common public travel thereon. Corporations may be formed and governed in like manner as is provided in section 1862 for the purpose of building, maintaining and using railways with rails of wood or iron in any city, village or town or to extend from any point in one city, village or town to, into or through any other city, village or town, and for running cars propelled by animals or other power for the carriage of either passengers or freight; and for that purpose, with the consent of the common council of any city, the board of trustees of any village and the written consent of a majority of the supervisors of any town in, into or through which such railway or tramway may extend, may lay and operate their railways or tramways upon, across and along any highway, but not so as to obstruct the

common public travel thereon. In any city or village the consent of the common council or board of trustees shall be given by ordinance, and upon such terms and subject to such rules and regulations and the payment of such license fees as the common council or board may prescribe.

Conflicting laws repealed. SECTION 2. All acts and parts of acts in conflict with this act are hereby repealed.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 14, 1901.

No. 324, S.] [Published May 24, 1901.

CHAPTER 426.

AN ACT relating to traveling expenses of state officials and employes.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Statement for refund mileage ticket; monthly statement. SECTION 1. Whenever any state official or employe traveling on public business and authorized to do so at public expense shall present to the secretary of state a receipt showing the payment of fifty dollars for a two thousand mile refund railway ticket issued by any of the railway companies operating roads of the first class in Wisconsin, and a sworn statement that such ticket is for use in the transaction of public business exclusively, the secretary of state shall draw a warrant on the state treasurer in favor of such state official or employe for forty dollars. Such state official or employe shall with his monthly expense statement, make a statement showing the number of miles traveled during the month, the date of such travel and the points between which he traveled on each date, together with an explicit statement of the public business upon which each item of railway expense was incurred. Whenever any state official or employe shall present a receipt showing the purchase of any additional refund ticket on the same line, he shall submit with the receipt showing such purchase, a sworn statement that he has used the whole of the

ticket previously purchased, in the discharge of his public duties; such statement shall also show the dates of travel, the number of miles traveled, and between what points on each date.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 14, 1901.

No. 385, A.] [Published May 20, 1901.

CHAPTER 427.

AN ACT to appropriate to Lynn S. Pease and E. W. Chafin certain sums of money therein named for their services and expenses as special attorneys for the state of Wisconsin in the matter of the investigation of the industrial school for boys at Waukesha.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Appropriation clause. SECTION 1. There is hereby appropriated out of any money in the state treasury not otherwise appropriated, to Lynn S. Pease the sum of two hundred and eighty-two dollars and to E. W. Chafin the sum of eighty dollars as compensation in full for their services as special attorneys for the state of Wisconsin in the matter of the investigation of the industrial school for boys, in full for all their expenses and disbursements in said matter.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 14, 1901.

No. 131, S.] [Published May 20, 1901.

CHAPTER 428.

AN ACT to authorize the board of directors of railway companies to empower the president and chief engineer to exercise certain functions of the board of directors in reference to the extension, alteration or buildings of branches in certain cases, and to designate the route or line of said extensions, branches and alterations.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Powers delegated to president and chief engineer. SECTION 1. Any railroad company existing in whole or in part under the laws of this state or authorized to own and operate a railroad in this state, may, by an affirmative vote of at least two-thirds of its directors, empower its president and chief engineer to designate the route of any extension or of any branch that it may thereafter desire or determine to make and build, and of any alteration of its line or route that it may thereafter desire or determine to make; but in that case before making or building any such extension or branch or alteration, or condemning any land therefor, the president and chief engineer of the railroad company shall, in writing, by map, courses and distances, or otherwise, designate the route thereof, and, after having certified to the correctness thereof, file such writing so certified, with the secretary of the railroad company, who shall record the same in a book to be by him kept for such purpose, and the railroad company shall obtain a copy of that record, duly certified by its president and secretary and attested by its seal, and file such certified copy with the secretary of state, to be by him recorded, and thereupon such corporation shall have the same right to make such alteration and build such extension or branch that it would have if it in each case it had been authorized to do so by a vote of two-thirds of its directors; provided, however, that this act shall not be construed to authorize any such railroad corporation to consolidate with any other, or to divert its line of road from any county, town, city or village which in its corporate capacity shall have extended aid to such road, either while in the hands of the then present owner, or any former person or corporation; and no such alteration or extension shall be made in any city or

village after the road shall have been constructed therein, unless the same shall have been sanctioned by a vote of two-thirds of the council of such city or of the trustees of such village. Provided that nothing in the provisions of this act shall be construed to give the president and chief engineer of any railroad company operating in this state any other or greater powers than may otherwise be exercised pursuant to the provisions of sections 1831 and 1832 of the statutes of 1898.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 14, 1901.

No. 628, A.] [Published May 20, 1901.

CHAPTER 429.

AN ACT to authorize George Tarrant Jr. and others to construct and maintain a toll bridge across the Chippewa river at Durand, Pepin county, Wisconsin.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Location of bridge. SECTION 1. George Tarrant Jr., W. S. Kepler, J. J. Morgan, John Engeldinger Jr., E. O. Osterreicher, Henry Goodrich, C. K. Averill, Frank Boehm, Frank Bauer and W. B. Smith, their heirs and assigns, are hereby authorized and empowered to construct and maintain a toll bridge across the Chippewa river, from some point within the limits of the city of Durand, Pepin county, Wisconsin, to the west bank of said Chippewa river, provided, that the location and construction of said bridge shall be approved by the war department of the United States, and that said bridge shall be so constructed as not to materially interfere with the free navigation of said river by steamboats or the running of rafts, logs, timber or lumber, down said river, and with proper piers, approaches and sheer booms to control and confine the channel and to direct steamboats, rafts, and lumber running on said river, within the draw span of said bridge. And provided further, that said parties their heirs

and assigns, shall commence the construction of said bridge within eighteen months after the passage of this act.

To construct a draw. SECTION 2. A suitable draw shall be constructed in said bridge, of sufficient width, not less however than one hundred feet in the clear when open, for the free passage of steamboats and the same shall be so located and of sufficient height as not to obstruct the free passage of rafts with their deck loading, and of logs, timber and lumber passing down said river; and such draw shall be opened free of charge for the free passage of steamboats at all times when it shall be desirous of passing up or down said river with such boat or boats.

Rates of toll. SECTION 3. The said George Tarrant Jr. and his associates above named, their heirs and assigns, shall have the power and the legal right, immediately after the completion of said bridge, to demand, receive and collect tolls for passing over such bridge at rates not exceeding the following: For any vehicle whether drawn by one or two horses, mules or oxen, ten cents for passage both ways the same day; for horses or cattle in droves of ten or less, three cents per head, and where same are in droves of more than ten, two cents a head; sheep or hogs in droves of ten or less, two cents a head, if in droves of more than ten, one cent a head, and each footman shall be permitted to pass over said bridge free of charge. The said George Tarrant, Jr. and his associates may regulate the use of said bridge for the crossing of traction engines and other ponderous articles and may charge a reasonable toll therefor.

Rates to be posted. SECTION 4. Said George Tarrant Jr. and his associates and assigns shall keep posted up on a conspicuous place on said bridge, the rates of toll established by them, not exceeding the rates allowed by this act.

Penalty for forcibly passing over bridge. SECTION 5. Any person who shall forcibly or fraudulently pass over the bridge authorized by this act without paying the legal toll, shall be deemed guilty of trespass and shall, for each offense, forfeit the sum of five dollars to and for the use of the legal owners of said bridge, to be recovered with costs as in other actions of trespass in any court having competent jurisdiction.

Malicious or careless injury to. SECTION 6. Any person or persons committing any careless or malicious injury to said bridge, shall be liable to the owners thereof in double the amount of injury done and all damages sustained may be collected before any court having competent jurisdiction thereof, and upon

conviction thereof shall be punished in the manner prescribed by law for offenses of that nature.

Charter for twenty years. SECTION 7. If the conditions contained in this act are fully kept and performed, the same shall continue in full force and operation for the period of twenty years after the passage thereof.

Right to repeal or amend reserved. SECTION 8. The right to repeal, alter or amend this act is hereby reserved to the legislature.

SECTION 9. This act shall take effect and be in force, from and after its passage and publication.

Approved May 14, 1901.

No. 629, A.] [Published May 20, 1901.

CHAPTER 430.

AN ACT amending chapter 52 of the statutes of 1898 by adding two new sections authorizing any city, village, town or county to build a bridge across a navigable stream and charge toll for the use thereof.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Powers of council, etc., to construct bridge; rates of toll. SECTION 1. Chapter 52 of the statutes of 1898 is hereby amended by adding thereto, two new sections which shall be known as sections 1321a and 1321b which shall read as follows: Section 1321a. The common council of any city and the board of any village, town or county bordering upon or through which any navigable or meandered stream runs, are authorized and empowered to build, purchase or maintain or to aid in building, purchasing or maintaining a bridge across such stream, provided that such city, village, town or county shall have previously voted to levy and collect a tax or to issue its bonds for such purpose as provided in sections 1320 and 1321 of the statutes of 1898; and provided further that the location and construction of such bridge shall be approved by the war department of the United States. Any such city, village, town or

county may, by gift, purchase or condemnation proceedings as provided in sections 895 to 904 inclusive of the statutes of 1898, acquire land for the purpose of building approaches to such bridge. Section 1321b. Any such city, village, town or county immediately after the construction and completion of a bridge according to the provisions of sections 1320, 1321 and 1321a shall have the power and the legal right to demand, receive and collect tolls for passing over such bridge at rates not exceeding the following: For any vehicle, whether drawn by one or two horses, mules or oxen, ten cents for passage both ways the same day; for horses, mules or cattle in droves of ten or less, three cents a head, and where the same are in droves of more than ten, two cents a head; sheep or hogs in droves of ten or less, two cents a head, if in droves of more than ten, one cent a head, and each footman shall be permitted to pass over such bridge free of charge. The common council of any such city and the board of any such village, town or county may regulate the use of such bridge for the crossing of traction engines and other ponderous articles and make reasonable charges therefor.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 14, 1901.

No. 35, A.] [Published May 22, 1901.

CHAPTER 431.

AN ACT relating to the introduction of electric wires into buildings in incorporated cities and villages throughout this state, and regulating the manner in which they shall be connected, secured and protected, and prescribing the punishment for a violation of this act.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Specifications for entrance or exit of wires. SECTION 1. That it shall be unlawful hereafter to introduce any electric wire into any building in any incorporated city or village in this state, which wire may or shall be used for lighting, power or heating purposes in such building, unless such wire shall, where the same so enters such building or passes through the outside

thereof, as also where the same passes through any floor, ceiling, partition or inner wall of such building or is affixed to or supported by a post, timber or other structure in the same, be securely protected by such wire, passing through a non-absorptive insulating tube throughout such wall, floor, ceiling, partition, inner wall, post, timber or other structure; and where such wire passes along a wall, floor or ceiling in such building, the same shall be safely fastened by a non-absorptive insulating device.

Duty of contractor, etc. SECTION 2. It is hereby made the duty of every contractor and other person so introducing, placing and affixing such wires, to splice or join all such electric wires where connections thereof are made so as to be both mechanically and electrically secure without solder, and, they must then be soldered to secure preservation, and the joint covered with an insulation equal to that on the conductors, and at the exterior of such building there shall be affixed an automatic cut-out by means of which the electric current can be completely shut off.

Standard gauge required; drop not considered. SECTION 3. It shall be unlawful to use or employ any wire for the purposes aforesaid of less than what is known as number 14 Brown and Sharp's gauge, and no such number 14 wire shall carry more than 12 amperes, and if a wire of larger size is used the amperes as to number shall only be increased as per the following table:

TABLE A.—RUBBER COVERED WIRES.		TABLE B.—WEATHER-PROOF WIRES.	
B. & S. G.	Amperes.	Amperes.	Circular Mills.
16	6	8	2,583
14	12	16	4,107
12	17	23	6,530
10	24	32	10,380
8	33	46	16,510
6	46	65	26,250
5	54	77	33,100
4	65	92	41,740
3	76	110	52,630
2	90	131	66,370
1	107	156	83,690
0	127	185	105,500
00	150	220	133,100
000	177	262	167,800
0000	210	312	211,600

CIRCULAR MILLS.

200,000	200	300
300,000	270	400
400,000	330	500
500,000	390	590
600,000	450	680
700,000	500	760
800,000	550	840
900,000	600	920
1,000,000	650	1,000
1,100,000	690	1,080
1,200,000	730	1,150
1,300,000	770	1,220
1,400,000	810	1,290
1,500,000	850	1,360
1,600,000	890	1,430
1,700,000	930	1,490
1,800,000	970	1,550
1,900,000	1,010	1,610
2,000,000	1,050	1,670

The lower limit is specified for rubber covered wires to prevent gradual deterioration of the high insulations by the heat of the wires, but not from fear of igniting the insulation. The question of drop is not taken in consideration in the above tables.

Penalty for violations. SECTION 4. Any violation of the provisions of this act is hereby declared a misdemeanor, and any person convicted under its provisions shall for each offense be fined not less than twenty-five dollars, nor more than one hundred dollars, and for a failure to pay such fine, together with costs of prosecution, he shall be committed to the county jail until the same are paid. Such imprisonment shall, however, not exceed four months.

SECTION 5. This act shall take effect and be in force, from and after its passage and publication.

Approved May 14, 1901.

No. 430, S.] [Published May 22, 1901.

CHAPTER 432.

AN ACT to repeal chapter 258 of the laws of 1899 and to amend sections 170-186-187-189-212-238-1636b-1636e of the statutes of 1898 relating to the state land office.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Repealed law. SECTION 1. Chapter 258 of the laws of 1899 is hereby repealed.

Salaries of clerical force. SECTION 2. Section 170 of the statutes of 1898 is hereby amended by adding after the words "one thousand dollars," in line fifteen on page 262, the words "the chief clerk in the office of the commissioners of public lands, eighteen hundred dollars; the assistant chief clerk in the office of the commissioners of public lands, sixteen hundred dollars; the other clerks and employes in the office of the commissioners of public lands, such sums as the commissioners shall dedetermine, provided, that not more than six thousand five hundred dollars ($6,500) shall be expended for salaries, including the chief clerk and assistant chief clerk, in any one year.

Duties of commissioners; records, etc. SECTION 3. Section 186 of the statutes of 1898 is hereby amended to read as follows: Section 186. Said commissioners shall keep their office at the capitol. They shall conveniently arrange and preserve therein all records, books, reports, surveys, maps, field-notes, plats and other papers pertaining to the public lands heretofore, now or hereafter owned by the state, including all such as have been or shall be received from the United States or any officer thereof. They may perfect such records, books, reports, surveys, maps, field-notes, plats and other papers when incomplete, and cause fair copies thereof to be made when, from injury, loss, use or accident, it shall become necessary; and any such copy, when certified by the chief clerk of the land office, under his hand and the official seal of said office, to have been made for any of the causes herein specified, and to be a correct copy thereof, shall have the same force and effect in all courts and places as the original; and any copy from said original records, books, reports, surveys, maps, field-notes, plats and other papers, or from any record or paper required by law to be kept in their

office, or any copy from said certified copy thereof, when certified by the secretary of state under the great or lesser seal, shall be received in evidence with the same effect as the original. All records, books and files kept by the commissioners shall at all business hours be open, under proper regulations made by them, to the inspection of any person free of charge; provided, however, that no expenditure be made for employes other than that provided for in section 2 of this act.

Appointment of clerks; oath of. SECTION 4. Section 187 of the statutes of 1898 is hereby amended so as to read as follows: Section 187. The commissioners shall appoint a chief clerk and assistant chief clerk who shall in the absence of the chief clerk have all the authority given by law to the chief clerk; and such other clerks as provided in section 2 of this act. Such appointments shall be filed in the office of the secretary of state. Every such clerk shall, before entering upon the discharge of his duties take and subscribe the following oath, to-wit: "I do solemnly swear (or affirm, as the case may be) that I will support the constitution of the state of Wisconsin; that I will not be engaged, either directly or indirectly, in the purchase for my own benefit of any public lands of the state of Wisconsin so long as I remain a clerk in the land bureau thereof, and that I will faithfully discharge to the best of my ability the duties of clerk in said bureau, so help me God," which oath shall be filed in the office of the secretary of state.

Fees for certificates and patents. SECTION 5. Section 189 of the statutes of 1898 is hereby amended so as to read as follows: Section 189. The said commissioners shall collect, as fees, fifty cents on every certificate and fifty cents on every patent issued by them, to be paid by the purchaser. Such fees shall be paid into the state treasury and credited to the ———————— fund. The chief clerk may take the acknowledgment of said commissioners to all certificates and patents, and no fees shall be charged therefor.

Applications for private sale. SECTION 6. Section 212 of the statutes of 1898 is hereby amended so as to read as follows: Section 212. Every person making application for the purchase at private sale of any such lands shall file in the office of said commissioners an application in writing, describing the lot or tract which he proposes to purchase by the proper number of the section, township, and range, and the subdivision of the section, with his name subscribed thereto. The commissioners shall, if the land applied for may then be sold, enter on books kept for

that purpose a note of every such application, specifying the day when made, the name of the applicant, and the description of the land applied for, and shall also give to such applicant a memorandum, stating such application and describing the lot or tract applied for, and stating the price at which the same may be sold and the amount to be paid at the time of the sale, which memorandum shall be signed by the chief clerk.

Examination of lands; duty of chief clerk. SECTION 7. Section 238 of the statutes of 1898 is hereby amended so as to read as follows: Section 238. It shall be the duty of the chief clerk of the commissioners of public lands from time to time, as shall be found necessary, to examine the public lands and to protect them from trespass, and to aid in collecting damages for trespasses committed. Said clerk shall be paid his actual expenses incurred in the performance of such duty. The commissioners may, in their discretion, award to any person furnishing information to them of trespasses committed upon the public lands, a sum not to exceed twenty per centum of the amount collected from such tresspassers by means of the information so furnished as aforesaid.

Chief clerk to be forest warden; assistant; duties of. SECTION 8. Section 1636b of the statutes of 1898 is hereby amended so as to read as follows: Section 1636b. The chief clerk of the state land office shall be the state forest warden, and may appoint a clerk in such office as his deputy. It shall be their duty to see that the provisions of law for the prevention and extinguishment of forest fires are faithfully executed, and for that purpose to formulate all proper and necessary rules and regulations for the government of the several fire wardens and to supervise them in the performance of their duties. Whenever the forest warden or any fire warden shall have good reason to believe that an offense has been committed by any person or persons against any of such provisions, it shall be his duty to immediately notify the district attorney of the proper county of the facts upon which such belief is founded, and he shall immediately and thoroughly investigate the fact. If, after such investigation, he shall have good reason to believe that an offense has been committed, it shall be his duty forthwith to institute proper proceedings for the arrest and conviction of the person whom he believes guilty of having committed the same.

Auditing of accounts of forest warden. SECTION 9. Section 1636e of the statutes is hereby amended so as to read as follows: Section 1636e. The commissioners of public lands shall audit

all accounts of the state forest warden and his deputy for expenses incurred in the performance of their duty, and when so allowed by them and approved by the governor, shall be audited by the secretary of state and issue his warrant therefor; but in no case shall such expense exceed three hundred dollars per annum.

Conflicting laws repealed. SECTION 10. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SECTION 11. This act shall take effect and be in force from and after June first 1901.

Approved May 15, 1901.

No. 429, S.] [Published May 22, 1901.

CHAPTER 433.

AN ACT to provide a central system of accounting for all state officers and state institutions.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Duty of governor in establishing system. SECTION 1. It shall be the duty of the governor to take such action, and to employ such assistants as in his discretion he may deem necessary to effectively establish in this state a central system of state accounting so that said system when established shall apply to all departments of the state and to all charitable, penal, reformatory and educational institutions of the state, and to the state board of control, the board of regents of the normal schools, the regents of the university of Wisconsin, the state historical society and to the officers, agents and employes of the same, and to each and every board, society, commission, association, and to every officer, agent or employe thereof or of the state who by virtue of his office receives, collects or disburses any money.

Reports from boards, officers, etc. SECTION 2. All persons boards, officers and agents mentioned in section one of this act shall make reports in such form and of such facts as may be required by the governor in order to put said system into practice.

Provisions of 1899 system to be carried out when practicable. SECTION 3. The system provided and adopted under the provisions of chapter 133 of the laws of 1899, shall so far as practicable be carried into effect except in so far as it may be changed by the governor in order to adapt it to the several departments mentioned in section one, of this act; provided that the system adopted shall require:

Deposit of money; requirements for. 1st. That all moneys collected or received by each and every person for or in behalf of the state, or in behalf of any of the boards, associations, commissions, societies or institutions mentioned in section one of this act, shall be by him deposited with, or transmitted to the state treasury or to a state depository designated by the treasurer. Such deposit shall in every case be made at least once a week and oftener if required by the governor, and at the time of the transmission or deposit a statement in such form as the governor may designate showing the amount of such collection, from whom and for what purpose or on what account the same was received, shall be transmitted to the treasurer.

Treasurer's receipt. 2nd. The treasurer shall transmit to every person depositing money with him a receipt therefor countersigned by the secretary of state.

Payments from treasury. 3rd. No money shall be paid out of the state treasury except on warrant drawn by the secretary of state, who shall require in all cases an itemized voucher showing for what purpose the debt has been contracted.

Issue of statutory receipts. 4th. The secretary of state shall prepare official blank receipts in such form as the governor shall prescribe, and furnish such official receipts to each person who collects or receives any money for on on behalf of the state, or for any of the boards, associations, commissions, societies or institutions mentioned in section one of this act, and such person shall issue such official receipts to each person from whom he shall receive any money. All such official receipts shall be numbered consecutively, and the secretary of state shall keep a true account of all such receipts furnished to any person and require of such person a true accounting for the same.

Certification of boards, evidence of correctness of account. SECTION. 4. The certificate of the proper officers of the board of regents of the normal schools, the regents of the university of Wisconsin, the state board of control, or the proper officers of

any other board or commission organized or established by the state, shall in all cases be evidence of the correctness of any account which may be certified by them.

Penalty for wrongful use of statutory receipt. SECTION 5. Any person who shall issue or deliver such official receipt or pass or utter the same except in the manner required by law shall be deemed guilty of a misdemanor.

Neglect to deposit money; how reached. SECTION 6. In case any person, officer, agent, board or association mentioned in section one of this act shall neglect or refuse to make such deposits of money or to make such reports as shall be required of them by this act, the secretary of state shall with the approval of the governor, withhold all moneys due such person until the provisions of this act are complied with.

Appropriation. SECTION 7. There is hereby appropriated out of any money in the treasury not otherwise appropriated, a sum sufficient to carry out the provisions of this act.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved May 15, 1901.

No. 454, A.] [Published May 22, 1901.

CHAPTER 434.

AN ACT amending section 1770b of the statutes 1898, relating to the power of foreign corporations to do business in this state.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Liability and restrictions of foreign corporations. SECTION 1. Section 1770b of the statutes of 1898 is hereby amended by adding to said section, at the end thereof, the following: All foreign corporations and the officers and agents thereof, doing business in this state, shall be subjected to all the liabilities and restrictions that are, or may be imposed upon corporations of like character, organized under the laws of this state, and shall have no other or greater powers.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 14, 1901.

No. 648, A.] [Published May 22, 1901.

CHAPTER 435.

AN ACT to prevent the spearing of pickerel in certain lakes and rivers of Waukesha county.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Spearing of pickerel prohibited at all times. SECTION 1. It shall be unlawful to spear any pickerel in any lake, and in the inlet or outlet of any lake in Waukesha county at any time.

Penalty. SECTION 2. Any person who shall violate any of the provisions of this act, shall upon conviction, be punished by imprisonment in the county jail for not less than thirty days, nor more than ninety days, or pay a fine not less than ten dollars nor more than fifty dollars, or by both such fine and imprisonment.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 14, 1901.

No. 649, A.] [Published May 22, 1901.

CHAPTER 436.

AN ACT to amend section 1 of chapter 309, laws of 1895, relating to the redistricting, readjusting and changing of the boundaries of wards in cities of the first class having special charters.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Powers of council to change ward boundaries. SECTION 1. Section 1 of chapter 309, laws of 1895, is hereby amended so as to read as follows: Section 1. The common council of all cities of the first class, organized under special charter, may by a two-thirds vote of all its members within two years after each state or United States census is taken and the result thereof as to its population is made known, re-district, readjust and change the boundaries of wards so that they shall be as nearly equal in population as may be, and to that end such council may create new wards and consolidate old ones, but no ward shall be created having a population less than eight thousand nor exceeding twenty thousand. In redistricting such cities the original numbers of the wards and their geographical outlines shall as far as possible be retained, and the wards so created and those the boundaries of which are changed shall be in as compact form as possible.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 14, 1901.

No. 658, A.] [Published May 22, 1901.

CHAPTER 437.

AN ACT to submit to the people an amendment to article XIII of the constitution of the state of Wisconsin to prohibit the pass system.

Preamble. Whereas, At the biennial session of the legislature of this state in the year 1899 an amendment to the constitution of this state was proposed and agreed to by a majority of the members elected to each of the two houses, which amendment was in the following language:

Provisions of amendment. Resolved, By the Senate, the Assembly concurring, that article XIII of the Constitution be amended by adding a new section, to be numbered and to read as follows: Section II. No person, association, copartnership or corporation, shall promise, offer, or give, for any purpose, to any political committee, or any member or employee thereof, to any candidate for, or incumbent of any office or position under the constitution or laws, or under any ordinance of any town or municipality of this state, or to any person at the request or for the advantage of all, or any of them, any free pass or frank, or any privilege withheld from any person, for the travelling accommodation or transportation of any person or property, or the transmission of any message or communication. No political committee, and no member or employe thereof, no candidate for, and no incumbent of any office or position under the constitution or laws, or under any ordinance of any town or municipality of this state, shall ask for, or accept, from any person, association, co-partnership, or corporation, or use, in any manner, or for any purpose, any free pass or frank, or any privilege withheld from any person, for the traveling accommodation or transportation of any person or property, or the transmission of any message or communication. Any violation of any of the above provisions shall be bribery and be punished as provided by law, and if any officer or any member of the legislature be guilty thereof, his office shall become vacant. No person within the purview of this act shall be privileged from testifying in relation to anything therein prohibited; and no person having so testified shall be liable to any prosecution or punishment for any offense concerning which he was required to give his testi-

mony or produce any documentary evidence. Th railroad commissioner and his deputy in the discharge of duty are excepted from the provisions of this amendment.

Preamble. Whereas, The foregoing proposed amendment to the constitution of this state was duly ratified, and agreed to by the legislature thereof at the biennial session in 1901, by a majority of all the members elected to each house, therefore

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

When to be submitted to people. SECTION 1. The aforegoing proposed amendment to the constitution of this state shall be submitted to the people at a general election to be held on Tuesday succeeding the first Monday of November, 1902, and if the people shall approve and ratify the said amendment by a majority of the electors voting thereon, said amendment shall become a part of the constitution of this state.

Form of ballot; canvass of votes. SECTION 2. The form of the ballot to be cast on the question of adopting or rejecting said amendment shall be "For the amendment to prohibit the pass system." Opposite said words shall be two spaces over one of which shall be printed the word "yes" and over one the word "no." The voter may mark his ballot in the space under whichever of said words indicates his intention. The marks made shall be such as the law now provides for. Said form of ballot shall be printed upon the ballot to be voted at such election after the names of the candidates and separated therefrom by an appropriate line or rule. The votes cast on the adoption of said amendment shall be canvassed and returned in the same time and manner as other votes cast at such election, and the result shall be determined and published in the manner provided by law.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 14, 1901.

No. 659, A.] [Published May 24, 1901.

CHAPTER 438.

AN ACT to limit the number, prescribe the duties and fix the compensation of the officers and employees of the legislature.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Duty and salary of chief clerks. SECTION 1. The chief clerks of the senate and assembly, respectively, elected at the beginning of every regular session of the legislature, shall perform such duties as are now by law and custom devolved upon those officers, including direct supervision by each of all of the clerical work for the house of which he is the chief clerk. The compensation of each shall be eight hundred dollars for the full term of a regular session, and, in case of service at an extra or special session, ten dollars a day for such service; and for service at the opening of a regular session, fifty dollars.

Duty and salary of sergeants-at-arms. SECTION 2. The sergeants-at-arms of the senate and assembly, elected at the beginning of every regular session of the legislature, shall perform such duties as are now by law and custom devolved upon those officers, including direct supervision by each of the work of the assistants, doorkeepers, postmaster, document room and gallery attendants, janitors and messengers of the house of which he is sergeant-at-arms. His compensation shall be six hundred dollars for the full term of a regular session, and in case of service at an extra or special session, seven dollars a day for such service.

Clerical force of senate; duties and compensation of. SECTION 3. The chief clerk of the senate is hereby authorized and empowered to appoint, at the beginning of a regular session of the legislature, subordinates, as follows, for the performance of the labor and duties now by custom devolved upon such employees or as indicated herein, whose compensation shall be as stated. One journal clerk and proof-reader, whose duties shall be such as are expressed in this designation, and who shall act as chief clerk in the temporary absence of the chief clerk, his compensation shall be five dollars a day; one bookkeeper and index clerk, whose duties shall be such as are expressed in this desig-

nation, his compensation shall be five dollars a day; one general clerk, who shall assist the chief clerk and perform such other duties as may be assigned him by the chief clerk, his compensation shall be four dollars a day; one engrossing clerk, who shall be an expert stenographer and typewriter, who shall have immediate charge of the engrossment in typewritten copies of all papers ordered to be engrossed, and the comparing of such copies with their originals in conjunction with the clerk of the committee on engrossed bills; he shall have the custody of all papers committed to him until the same may be delivered to the chief clerk, and shall be the custodian of the engrossing room, his compensation shall be five dollars a day; one typewriter for the engrossing room, his compensation shall be four dollars a day; two stenographers and typewriters for the assistance of senators in the preparation of bills, resolutions and other papers pertaining to the work of the legislature, the compensation of each shall be four dollars a day; one enrolling clerk, who shall have direct charge of the enrollment of bills and resolutions and of the comparing of the copies with the originals in conjunction with the clerk of the committee on enrolled bills, he shall have the custody of all papers committed to him until the same may be delivered to the chief clerk and shall be the custodian of the enrolling room, his compensation shall be four dollars a day; two enrolling copyists, each of whom shall be paid three dollars a day; one clerk for the committee on judiciary, who shall be an expert stenographer and typewriter, his compensation shall be five dollars a day; one clerk for the committee on engrossed bills, one clerk for the committee on enrolled bills, one clerk for the joint committee on claims, one clerk for the committee on bills on their third reading, and five other clerks for detail by the chief clerk for the service of other committees as such service may be needed, each of these several committee clerks shall also attend upon the committee room to which the committee or committees for which he is the clerk may be assigned, the compensation of each shall be three dollars a day.

Force of sergeant-at-arms of senate; salary and duties of. SECTION 4. The sergeant-at-arms of the senate is hereby authorized and empowered to appoint, at the beginning of a regular session of the legislature, subordinates, as follows, for the performance of the labor or duties now by law and custom devolved upon such employees or as are herein indicated, whose compensation shall be as stated: One assistant sergent-at-arms, his compensation shall be five dollars a day; one postmaster, his compensation shall be four dollars a day; one custodian of the

document room, he shall receive and superintend the distribution and filing by messengers of all the printed matter for the senate and the mailing of such as may be required by law to be mailed and shall issue to the members, under the direction of the sergeant-at-arms, the stationery received by the latter from the superintendent of public property for the use of the senate, his compensation shall be four dollars a day; one policeman, one gallery policeman, one night watchman and one night laborer, each of whom shall receive three dollars a day, the gallery policeman shall co-operate with the assembly gallery policeman in the discharge of the duties of flagman; the night watchman and night laborer shall sweep, clean and otherwise put the chamber and adjoining rooms in order for the succeeding day's sessions; six messengers, each of whom shall be paid two dollars a day.

Clerical force of assembly. SECTION 5. The chief clerk of the assembly is hereby authorized to appoint, at the beginning of a regular session of the legislature, the same number of clerks, with the same designations and for the performance of like duties, the compensation of each of whom shall be the same for the same kind of work, as are provided for the senate by section 3 of this act, and in addition thereto the following: A second general clerk for the assistance of the chief clerk in the desk and otherwise, who shall be paid four dollars a day; one stenographer and typewriter for the engrossing room, who shall be paid four dollars a day; a third stenographer and typewriter for the assistance of members in the preparation of legislative matter, who shall be paid four dollars a day; one additional enrolling copyist, who shall be paid three dollars and fifty cents a day.

Force of sergeant-at-arms of assembly. SECTION 6. The sergeant-at-arms of the assembly is hereby authorized to appoint, at the beginning of each regular session of the legislature, the same number of subordinates, with the same designations and for the performance of like duties, the compensation of each of whom shall be the same for the same kind of work, as are provided for the senate by section 4 of this act, and in addition thereto the following: A second assistant sergeant-at-arms, who shall be paid four dollars a day; one assistant to the attendant upon the document and stationery room, who shall be paid three dollars a day; six messengers, each of whom shall be paid two dollars a day.

Additional help. SECTION 7. After the expiration of thirty days of such regular session the chief clerk of either house may

appoint not to exceed two more stenographers and typewriters and three more enrolling copyists for the senate, and three more stenographers and typewriters and five more enrolling copyists for the assembly, and such additional stenographers and typewriters and copyists, or any of them, shall be so employed only so long as their services respectively may be needed as such, the compensation of each of such additional stenographers and typewriters shall be four dollars a day and of each of such additional copyist three dollars a day.

Changes in duties of clerks; payment of. SECTION 8. For the convenience and the expeditious transaction of the business of the legislature, the chief clerk of either house may, from time to time, make such temporary changes in the assignments of his respective assistants and subordinates as will in his judgment best accomplish these objects; and for like reason and purpose the sergeant-at-arms of either house may make temporary changes in the regular assignments of his assistants and subordinates, and may assign messengers for service in committee rooms. No employees for the legislature other than those provided for by this act shall be paid except by an act of the legislature, and payment of the salaries and per diem provided for in this act shall be made on the warrants of the secretary of state as now provided by law for such services. The typewriters employed under this act shall furnish their typewriting machines without cost to the state.

Conflicting laws repealed. SECTION 9. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SECTION 10. This act shall take effect and be in force, from and after its passage and publication.

Approved May 15, 1901.

No. 111, S.] [Published May 22, 1901.

CHAPTER 439.

AN ACT to amend sections 450, 451, 452 and 452a of chapter 27 of the statutes of 1898, relating to common schools; to amend section 496a of the statutes of 1898 relating to free high schools; to add three new sections, numbered 450a, 450b, and 450c, relating to the certification of teachers; to provide special state aid for graded schools; to authorize the state superintendent to appoint two state school inspectors; and to make an appropriation therefor.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Additional branches required for county certificates; duration of first and second grade certificates extended. SECTION 1. Section 450 of chapter 27 of the statutes of 1898 is hereby amended, so as to read when so amended, as follows: Section 450. Every applicant for a certificate shall be examined in the subjects hereinafter mentioned, for the several grades respectively as follows: For the third grade, in orthoepy, orthography, reading, penmanship, arithmetic, English grammar, geography, the history of the United States, the constitution of the United States, the constitution of the state of Wisconsin, physiology and hygiene, with special reference to the effects of stimulants and narcotics upon the human system, the theory and art of teaching, and after January first, 1902, in the "manual of the elementary course of study for the common schools of Wisconsin," and in the elements of agriculture, for the second grade in all the foregoing and also in algebra, physical geography, and after July first, 1902 in American literature and English composition; for the first grade, in all the foregoing and also in physics and plane geometry, and after July first, 1902 in English literature and English history. If found qualified, said applicant shall receive the certificate appropriate to his grade. A third grade certificate shall entitle the holder to teach for such period, not more than one year as may be specified therein, in any town in the superintendent district in which he is examined except that it may be limited by the county superintendent to one town or school district therein. A second

grade certificate shall entitle the holder to teach in any town in such superintendent district and be in force three years from its date. A first grade certificate shall entitle the holder to teach in any town in such superintendent district and be in force five years from its date; provided, that no such certificate shall be issued to any person who has not taught successfully for one school year in the public schools of Wisconsin. Whenever a person has taught successfully for one year on such a limited first grade certificate, the county superintendent shall, upon the presentation of satisfactory evidence of such successful teaching, issue to the holder of the limited certificate a first grade certificate good for five years from the date of issue of the limited certificate.

Transfer and renewal of certificates unlawful. SECTION 2. Chapter 27 of the statutes of 1898 is hereby amended by inserting a section to be known as section 450a, as follows: Section 450a. It shall not be lawful for any county superintendent to endorse a certificate issued by any other county superintendent, nor to extend the life of any certificate beyond the limits fixed by law. The papers written in any examination shall not be used as the basis for issuing a second certificate, which shall have the effect of extending the life of the certificate first issued thereon. But in any examination for a second certificate, when the applicant has taught successfully in the superintendent district for one school year on a certificate previously issued by him, the superintendent may, in his discretion, accept standings on papers written by the applicant in the preceding examination not to exceed five in number, in lieu of a re-examination in the subjects for which standings are so accepted.

Preservation of examination papers. SECTION 3. Chapter 27 of the statutes of 1898 is hereby amended by inserting a section to be known as section 450b, as follows: Section 450b. It shall be the duty of every county superintendent to preserve on file in his office during the life of every certificate issued by him or his predecessors, the examination papers, both questions and the answers thereto examined by him or his predecessors, and upon which the certificate was issued; provided, that this section shall not prevent the transfer of papers to the state superintendent, as provided in section six of this act.

Issue of certificate on transfer of papers. SECTION 4. Chapter 27 of the statutes of 1898 is hereby amended by inserting a section to be known as section 450c, as follows: Section 450c. If any person holding a certificate desires to teach in any county or superintendent district other than the one for which his cer-

tificate was issued, the county superintendent of that county or district may request the county superintendent who issued the certificate to transfer to him the papers in his possession upon which the certificate was issued, whereupon it shall be the duty of the county superintendent so requested, to transfer the papers, if any. If these papers and standings are found satisfactory by the county superintendent to whom they were transferred, he may issue a certificate upon them of the same grade as the original certificate and coterminous with it, or one of a lower grade to be in force a shorter time, and he shall preserve the papers on file in his office. If the papers are found unsatisfactory, and the certificate is denied, he shall return the papers to the county superintendent from whom he received them.

Standard of attainment in branches required for certificates. SECTION 5. Section 451 of chapter 27 of the statutes of 1898 is hereby amended so as to read when so amended as follows: Section 451. Each county superintendent shall establish for his county; subject to the approval of the state superintendent, the standard of attainment in each branch of study which must be reached by each applicant before receiving a certificate. The standard so established shall be uniform in the county or superintendent district and no certificates shall be issued until the standard is established. The standard in the branches of study common to the third grade and the second grade certificates shall be higher for the second than for the third grade certificate, and the standard in the branches common to the second grade and the first grade branches shall be higher for the first grade than for the second grade certificate. The county superintendent may demand an examination in such additional branches as the applicant may be required to teach, and whenever he shall deem it necessary he may require a re-examination of any teacher in his county or superintendent district for the purpose of ascertaining his qualifications to continue as such teacher.

Appeal to state superintendent from markings by county superintendent. SECTION 6. Section 452, chapter 27 of the statutes of 1898, is hereby amended, so as to read when so amended, as follows: Section 452. Any applicant refused a certificate as teacher by the county superintendent, may apply to the state superintendent for a re-examination. The superintendent, upon demand, shall give any applicant refused a certificate a written statement of the reasons of such refusal, which shall be presented to the state superintendent by the person desiring re-

examination. If upon such re-examination the state superintendent shall be satisfied that such applicant is legally qualified, he shall issue a certificate of the proper grade, which shall entitle him to the same privileges as if it had been issued by the county superintendent. In the exercise of his powers of general supervision of the schools, the state superintendent is hereby authorized to call for the examination papers, both questions and answers, of any person to whom a certificate has been granted, and it is made the duty of all county superintendents to furnish such papers when so called for. If, upon examination of the papers, the state superintendent is satisfied that the person to whom the certificate has been granted is not qualified, he may annul the certificate.

Countersignature of high school diploma by county superintendent. SECTION 7. Section 452a of the statutes of 1898 is hereby amended so as to read when so amended as follows: Section 452a. The free high school board shall make out and deliver to each graduate of the high school at the time of graduation, a certificate of his standing in the branches pursued by him in such school, and if such graduate of a high school, having a four years' course, receive a first grade certificate from any county superintendent, and furnish to him or to any other county superintendent, a certificate from the free high school board that includes a satisfactory standing in theory and art of teaching, based on a study of this subject in a free high school for at least twelve weeks, and furnish also satisfactory proof of having taught successfully at least one school year, under such first grade certificate, such county superintendent may countersign his certificate of graduation or diploma at any time before the expiration of the first grade certificate, and affix the date of such signature thereto. The diploma so countersigned shall have for the period of five years thereafter, the force and effect of a first grade certificate. It shall be lawful for more than one county superintendent to countersign the diploma, but no counter-signature shall have the effect of extending the diploma as a first grade certificate, beyond the expiration of the five years immediately following the date of its first countersignature.

Required studies in high schools for countersignature of diploma. SECTION 8. Section 496a of the statutes of 1898 is hereby amended so as to read when so amended as follows: Section 496a. The state superintendent shall prepare a course or courses of study suitable to be pursued in free high schools, publish the same and furnish the same upon application. He shall

exercise such personal supervision and make such personal inspection of the work of all such schools as they seem to require and the other duties of his office may warrant; he shall examine or cause to be examined all teachers of high schools, required by law to pass special examinations to qualify them for teaching in high schools, and grant certificates to such as pass examinations satisfactorily, which certificates shall be in such form and for such time as he may prescribe, and shall authorize the holder to teach in such special place or places, or in the whole state, as the qualifications of the candidate may warrant. Each free high school shall offer at least a twelve weeks' course of instruction each year in the theory and art of teaching; in the organization, management, and course of study of ungraded schools; and in the duties of citizens in the organization and administration of local school systems. Such a course of instruction shall be open to all students in this school and a satisfactory standing in the work of this course shall be a condition precedent to the countersignature of a diploma held by a graduate of the school as provided in section 7 of this act. Said superintendent shall furnish suitable blanks for annual and special reports for all such schools, which shall require returns as to the number, age and sex of all pupils enrolled, the number in each class or year in the course of study, the number of pursuing English branches only, the number completing the course of study each year and such other statistics as may be deemed necessary.

Districts which may receive state aid for graded schools. SECTION 9. The school board of any school district containing within its limits a graded school but no free high school nor a high school of a grade equivalent to a free high school, may receive special state aid as hereinafter provided, upon full compliance with the following conditions:

Classes. 1. There shall be two classes of state graded schools in Wisconsin, known respectively as first class, and second class; all state graded schools of three or more departments shall be in the first class, and all state graded schools of two departments shall be in the second class.

Length of school year; average daily attendance. 2. Schools shall be maintained in the districts receiving such aid, at least nine school months, including legal holidays, in each and every department. Each department shall have an average daily at-

tendance of not less than fifteen pupils for the entire school year to entitle the school to state aid.

Qualifications of teachers. 3. All persons employed in both classes of graded schools applying for state aid shall be competent teachers and shall hold the following grade of certificates. The principal of a state graded school of the first class shall hold some form of a state certificate. In each school of this class one assistant shall hold a third grade certificate, or a certificate of a higher grade, provided such assistant, if holding a third grade certificate, shall also have had one year's successful experience as a teacher in the public schools of Wisconsin; one assistant shall hold a second grade certificate, or a certificate of a higher grade, and all other assistants shall hold first grade certificates or certificates of a higher grade. The principal of a state graded school of the second class shall hold a first grade county certificate, or some form of a state certificate, and the assistant shall hold a third grade certificate or a certificate of a higher grade, provided such assistant, if holding a third grade certificate, shall also have had one year's successful experience as a teacher in the public schools of Wisconsin. The word "principal" is hereby interpreted as meaning the teacher of the highest grade or grades in the school who shall have immediate supervision of all the grades; the word "assistant" is hereby interpreted as meaning each and every teacher in a state graded school other than the principal.

Condition of buildings and grounds. 4. The school house or school houses, the outhouses and the grounds, the furniture and equipment, shall be maintained in good condition and kept free from any unsanitary feature.

Equipment required. 5. Sufficient equipment, including globes, maps, blackboards, library, and other essentials for the proper work of the school shall be provided by the school district.

Application for aid; must be inspected. 6. When the school board of any school district desires to secure state aid for its graded schools, said school board shall make written application for the same to the state superintendent. No graded school shall be entitled to be placed upon the list of state graded schools and to receive special state aid until said school shall have been duly inspected by the state superintendent, or some member of his staff, and found to be fully complying with all the conditions of this act.

Application before September 1. 7. In order that any graded school may receive special state aid as herein provided, appli-

cation shall be made to the state superintendent by the school board before the first day of September preceding the school year for which said special state aid is requested.

Amount of aid for two classes of graded schools; apportionment. SECTION 10. Any school district which shall have maintained a graded school of the first class in accordance with the provisions of this act shall be entitled to receive from the general fund of the state, annually the sum of three hundred dollars. Any school district which shall have maintained a graded school of the second class in accordance with the provisions of this act shall be entitled to receive from the general fund of the state, annually, the sum of one hundred dollars. To obtain such state aid the school board shall, on or before the first day of August of each year, succeeding the school year in which application is made, report to the state superintendent, under their oaths, that such state graded school has complied with all the provisions of this act. Thereupon, the said state superintendent, shall fix the amount to be paid such district, and certify the same to the secretary of state; the secretary of state shall then draw his warrants upon the state treasurer for the several claims of the school districts. "The secretary of state shall annually include and apportion in the state tax such sum as shall have been certified by the state superintendent under the provisions of this act." Upon receipt of the annual state taxes said state treasurer shall pay to the school district treasurers, the several amounts called for by such warrants. The state superintendent is hereby empowered to refuse state aid to any school district which in his judgment has failed to comply with the provisions of this act. The whole amount annually paid under the provisions of this act shall not exceed sixty thousand dollars, and if more be demanded by the state graded schools, it shall be paid proportionally. Any unexpended balance shall revert to the general fund.

Inspectors. SECTION 11. The state superintendent is hereby authorized to appoint two persons of suitable qualifications to assist him in inspecting and supervising the state graded and free high schools, and to aid him in giving information and needed assistance to localities in organizing such schools. Such persons shall be known as state school inspectors, and shall each receive an annual salary of sixteen hundred dollars, and reimbursement for all actual and necessary traveling expenses incurred, when duly certified to by the state superintendent; said salary and expenses to be paid monthly from the general fund, and to be deducted from the annual appro-

priation provided for in this act, before the apportionment is made to the state graded schools. Said state school inspectors, when not engaged in the specific duties enumerated herein, may be assigned for such other duties as the state superintendent may determine and designate.

Course of study; reports. SECTION 12. The state superintendent shall prepare a course of study suitable to be pursued in graded schools, publish the same, and furnish to school boards upon application. This course of study shall be followed by all state graded schools, as one condition of securing special state aid. Said state superintendent shall furnish suitable blanks for annual and special reports for all such state graded schools, which reports shall call for such information as he may deem necessary. The refusal or neglect of the school board or any of its officers to file these reports with the state superintendent when called for, shall be deemed sufficient ground for refusing special state aid, as provided for in this act.

Number limited; incorporated cities excluded. SECTION 13. No more than one such graded school in any village, or school district or sub-district shall receive state aid as herein provided, nor shall any graded school in any incorporated city participate in said state aid.

Appropriation. SECTION 14. There is hereby appropriated out of any moneys in the general fund of the state not otherwise appropriated, a sufficient sum of money to meet the provisions of this act.

SECTION 15. This act shall take effect and be in force from and after its passage and publication.

Approved May 15, 1901.

No. 644, A.] [Published May 22, 1901.

CHAPTER 440.

AN ACT for the establishment of a live stock sanitary board.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Board, how constituted; meetings; organization. SECTION 1. There is hereby constituted a state live stock sanitary board which shall consist of three members of the state board of agriculture, to be chosen by that body from its membership, the bacteriologist of the state agricultural college, and the state veterinarian; the last two mentioned members to be ex-officio members of the board, and the state veterinarian to serve without additional compensation. The members selected from the state board of agriculture shall hold office for a term of three years, except that the member first chosen shall hold his position for one year, the second for two years, and the third for three years from the first day of June, 1901. They shall serve without salary, but shall be paid three dollars per day, and all members of the board shall be paid their actual expenses when in the discharge of their duties. Meetings of the board shall be limited to twelve in each year, and the service of no member on said board, for which a per diem is paid, shall exceed thirty days in any one year. The board may organize by the election of a president and secretary and shall hold its office in such room in the capitol as the governor may designate.

Duty of board. SECTION 2. It shall be the duty of the state live stock sanitary board to protect the health of domestic animals of the state; to determine and employ the most efficient and practical means for the prevention, suppression, control, or eradication, of dangerous, contagious or infectious diseases among domestic animals; and for these purposes it is hereby authorized and empowered to establish, maintain, enforce and regulate such quarantine and other measures relating to the movement and care of animals and their products, the disinfection of suspected localities and articles and the disposition of animals, as it may deem necessary, and to adopt from time to time, all such regulations as may be necessary and proper for carrying out the purposes of this act. Provided, however, in the case of slowly contagious diseases, only suspected or diseased

animals shall be quarantined, and in case of bovine tuberculosis or actinomycosis, the owner shall be granted the option of retaining the animals in quarantine, under such restrictions as the board may prescribe.

Slaughter and appraisement of animals. SECTION 3. Whenever the owner shall not exercise option and it shall be deemed necessary by the board to slaughter diseased animals, written notice shall be given to the owner, his agent or the person in charge of such animals, and to a justice of the peace in the county in which the animals may be, of the purpose to order the slaughter thereof, giving the number and description of the animals, and the name of the owner, if known. Such notice shall be entered on the docket of such justice, who shall immediately thereafter summon such owner, agent or possessor, and also three disinterested citizens of the county, not residents of the immediate neighborhood in which such animals are owned or kept, to appraise the value thereof. Such appraisers shall before entering upon the discharge of their duties, be sworn by such justice, to make a true appraisement without prejudice or favor, of the value of such animals, and they shall certify in their return, that they have seen the appraised animals slaughtered. In making appraisement of diseased animals, the appraisers shall determine their value in the condition, in which they are found at the time of appraisement; but the appraised value of no single animal shall exceed fifty dollars. If such appraised animals are slaughtered, said slaughter shall be made under the direction of the local health officer, or the chairman of the town board. The owner of slaughtered animals shall receive no compensation for the same, until the live stock sanitary board is satisfied that the infected premises have been disinfected in such a manner as to prevent the further spread of disease.

Importations, powers of board to prohibit; suspected stock. SECTION 4. Whenever the state live stock sanitary board shall have reason to believe that there is danger of the introduction into this state of any contagious or infectious disease prevailing among domestic animals, in any district, outside this state, or its dissemination from one district in this state to another, it shall investigate the existing conditions, and if it conclude that danger exists to the live stock interests of this state therefrom, it may, with the advice and consent of the governor, prohibit the importation of animals of the kind diseased from the infected district, into this state, or the moving of them from one part of the state to another, except under such regulations as the board may establish. It shall be the duty of every person who shall have

reason to suspect that there is upon his premises, or upon the premises occupied by him, or under his control, any domestic animal having a contagious or infectious disease, to immediately report the fact to the local board of health, or some member of the same, who shall immediately report such case to the state veterinarian, or the secretary of the board. The board or state veterinarian may require the owner of suspected stock to employ at his own expense, a qualified veterinary surgeon, to examine such stock and determine whether, in his opinion, the disease exist. This board or any member thereof may enter upon any premises or go into any building or place, where he has reason to suspect there may be diseased animals, and examine the same and may call to his aid, if necessary, the sheriff or any constable of the county, in which such animals may be located, and all such officers when so called upon, shall assist such board or member thereof in the enforcement of the provisions of this act. Animals in transit in the state, are hereby declared to be under the provisions of this act.

Claims, how paid. SECTION 5. All claims against the state arising from the slaughter of animals as above provided, shall be made by filing with the secretary of state a copy of the state veterinarian's notice to the justice of the peace, and the return of the appraisers to the justice, which notice and return shall be certified by him. The secretary of state shall examine these, and if satisfied that the amount awarded is just and that the owner of the animals slaughtered, is entitled to indemnity, shall issue his warant for two-thirds of the sum named in such return; but if he shall have reason to believe that the appraised value is greater than the real value of such animals, he shall pay such owner such less sum as he may deem just, provided, that the right to indemnity shall not exist, nor shall payment be made in either of the following cases: First. For animals owned by the United States, this state, or any county, city, town or village in this state. Second. For animals brought into this state, contrary to the provisions of this act, or where the owner of the animal of the person claiming compensation has failed to comply with the provisions of the same. Third. When the owner or claimant, at the time of coming into possession of the animal, knew, or had good reason to believe it to be afflicted with a contagious or infectious disease. Fourth. When the animal slaughtered, was diseased at the time of its arrival in this state. Fifth. When the owner shall have been guilty of negligence, or has wilfully exposed such animal to the influences of a contagious or infectious disease.

Allowance for experimental purposes; report of board; auditing of accounts. SECTION 6. The state live stock sanitary board shall be allowed for experimental purposes, with the consent and approval of the governor, a sum not to exceed, five hundred dollars annually, which bills of expenditure shall be audited and approved by the governor. It shall from time to time issue such bulletins of information as it may deem advisable, which with the report of the board to be made to the governor in October of each year, shall be printed by the commissioners of public printing, the bulletins in such number as the governor may approve, and one thousand copies of the report of this board, five hundred of which shall be bound. The state veterinarian is hereby authorized to call to his assistance, as may be necessary in the performance of his work, duly qualified veterinary surgeons, who shall be paid for their services at the rate of seven dollars per day and their actual expenses for the time they are actually employed as assistants. Their accounts shall be audited upon itemized vouchers, certified to by the state veterinarian and approved by the governor, but no person shall be considered a veterinary surgeon, within the meaning of this act who is not a regular graduate in good standing of some recognized veterinary college in the United States, Canada, or Europe. The appraisers herein provided for, shall receive two dollars for each day actually employed as such, which amount shall be paid out of the county treasury, upon the certificate of the justice by whom they were summoned. The justice of the peace and other officers who may perform any duty hereunder, shall have the same fees as are allowed by law in criminal proceedings in justice courts, and shall be paid by the county in which their services are performed.

Stationery and postage. SECTION 7. The superintendent of public property is hereby instructed to furnish the state live stock sanitary board with the necessary stationery and postage stamps for its work.

Conflicting laws repealed. SECTION 8. All acts and parts of acts inconsistent with the provisions of this act, are hereby repealed.

SECTION 9. This act shall take effect and be in force, from and after June first 1901.

Approved May 15, 1901.

No. 409, S.] [Published May 22, 1901.

CHAPTER 441.

AN ACT to detach certain territory from the town of Flambeau in Chippewa county, and to create the town of Thomas; to provide for town meetings therein and for a final settlement between said towns.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Territory of town. SECTION 1. All that portion of the present town of Flambeau in the county of Chippewa in the state of Wisconsin described as follows, to-wit: All that part of townships numbered thirty-three (33), thirty-four (34), and thirty-five (35) north of range number seven (7) west of the fourth principal meridian in the state of Wisconsin situated in and now forming a part of the town of Flambeau, is hereby set off and detached from said town of Flambeau and is hereby created and organized as a separate town to be known and designated as the town of Thomas.

Organization and rights of town. SECTION 2. The said town of Thomas is hereby created and organized with all the rights, powers and privileges conferred upon and granted to other towns in the state, subject to all the general laws enacted for town government therein.

Apportionment of assets and liabilities. SECTION 3. The asset and liabilities of the said towns of Flambeau and Thomas shall be apportioned to the said town of Thomas pro rata in such proportions as the valuation of all the taxable property detached from said town of Flambeau bears to the whole of the assessed valuation of said towns of Flambeau and Thomas according to the assessment roll for the year A. D. 1900.

First town meeting. SECTION 4. The first town meeting of said town of Thomas shall be held on the third Tuesday of June, A. D. 1901, in the school house situated in section four (4) in township number thirty-four (34) north, of range number seven (7) west.

Election of officers. SECTION 5. The qualified electors of said town of Thomas shall at such town meeting, held as pro-

vided for in section number four of this act, in the manner provided by law, elect town officers for the said town, and for the purpose of such election the qualified electors of said town of Thomas shall, between the hours of nine and eleven o'clock in the forenoon of said day choose three of their number to act as inspectors of said election, and such inspectors shall, before entering upon their respective duties, severally take the usual oath of office and file the same with their returns; and such inspectors shall respectively canvass and return the votes cast at such election in all respects as provided by law for inspectors at annual town meetings. A town clerk and also all necessary clerks of said election shall be appointed by said inspectors, or a majority thereof, to assist said inspectors in conducting said town meeting and in canvassing and returning the votes cast at such election.

When town deemed organized. SECTION 6. When said town meeting shall have been held as herein provided and the town officers required by law duly elected, the said town of Thomas shall be deemed and shall be duly organized and shall possess all the rights, powers, privileges and authority, and shall be subject to all the liabilities of other towns in the state of Wisconsin. After said first town meeting, all annual town meetings shall be held on the day provided by law for the holding of town meetings in other towns in the state of Wisconsin.

Notice of first town meeting, how given. SECTION 7. Notice of said first town meeting shall be given by the posting of a copy of this act in at least six (6) public places in said new town of Thomas, at least ten (10) days prior to the time of holding said first town meeting, by any duly qualified elector of said town, who shall make a proper affidavit of such posting and file the same on the day of said first town meeting with the inspectors chosen to conduct said first town meeting.

Settlement between towns. SECTION 8. The supervisors of the town of Flambeau and the supervisors of the new town of Thomas shall, on the twenty-fifth day of June, A. D. 1901, meet at the office of the town clerk of the town of Flambeau for the purpose of making a settlement between said two towns according to the provisions of this act, and at said meeting, or at any subsequent or adjourned meeting held by said town boards of supervisors, any three of the supervisors shall have full power and authority to send for any persons, books, papers and records necessarily involved or needed in the settlemnt between said two towns. The town clerk of the town of Flambeau shall be and

act as the clerk of such joint meeting, and the town clerk of the new town of Thomas shall be present and assist, and sufficient duplicates or copies of all proceedings had shall be made, in order that each town may have at least one for the use and information of the town clerk and town board of supervisors thereof. Each town shall be chargeable with the expense and for the services and per diem of its own officers only, and the bills therefor shall be audited and paid by the respective towns of Flambeau and Thomas as other bills are by law authorized to be audited and paid.

SECTION 9. This act shall take effect and be in force from and after its passage and publication.

Approved May 15, 1901.

No. 647, A.] [Published May 24, 1901.

CHAPTER 442.

AN ACT to amend section 1955a of the statutes of 1898, relating to accident insurance.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Deposit with state treasurer; substitution of securities; certificate as to deposit in another state. SECTION 1. Add after the words "other purposes" where they appear in the fifteenth line of section 1955a, the following: In case of an accident association before license is issued, it shall deposit with the state treasurer as security for the payment of claims against said corporation in case of voluntary dissolution or the winding up of its affairs, good, interest bearing, securities to be approved by the commissioner of insurance in the amount in par value, exclusive of interest, of not less than one thousand dollars; such securities shall be retained by the state treasurer so long as said corporation shall continue to do business. Provided that said corporation may at any time upon the approval of the commissioner of insurance, substitute other securities of equal value, the interest on said securities shall be payable to the said corporation, and in case of the dissolution of said corporation or the winding up

of its affairs, the said securities shall be delivered to the duly appointed receiver of the said corporation or to the corporation itself, upon the certificate of the commissioner of insurance. In case of associations already organized and doing business under the provisions of this act, the securities herein above provided for, shall be deposited with the state treasurer in the same manner, for the same purpose and to the same effect as above provided, on or before the first day of January 1902. Provided however that when by the statutes of any other state, mutual benefit associations doing an accident or health business organized or doing business therein, are required to keep on deposit with the state treasurer or other state officer, securities for the protection of policy-holders generally and any such company shall furnish to the commissioner of insurance of this state the certificate of the proper officer of such other state, showing the amount and character of the securities so deposited with him and it shall appear therefrom that the said securities are equal in market value and availability to one thousand dollars, and that said securities consist of stock or bonds of the United States or of this state or of any city or county in this state authorized by act of legislature to issue the same or of state, county or city bonds or of stocks of the state where such company or association is organized or of bonds and mortgages on improved real estate, worth double the sum loaned thereon, and it shall further appear from the laws of such other state that the securities so deposited are subject to be made available to satisfy judgments of policy-holders in any manner corresponding to that provided for the care of securities deposited under this act, the commissioner of insurance shall thereupon be authorized to issue to such company an authority or license to transact the business of accident and health insurance within this state, without any such deposit of securities with the state treasurer of this state as is above provided.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 15, 1901.

No. 624, A.] [Published May 23, 1901.

CHAPTER 443.

AN ACT relating to cities, and fixing the terms of certain city offices.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Term of office made two years. SECTION 1. In cities of the second, third and fourth classes the terms of office of all city officers hereafter chosen by the electors, except aldermen in cities governed by special charter, shall be two years; provided, this act shall not affect the term of office of any city officer which exceeds two years.

Conflicting laws repealed. SECTION 2. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 15, 1901.

No. 395, S.] [Published May 23, 1901.

CHAPTER 444.

AN ACT to reimburse the drainage fund and provide for the distribution of drainage moneys among the counties of this state entitled thereto.

Swamp land act. Whereas, by the act of Congress, approved September 28th, 1850, entitled, "An act to enable the state of Arkansas and other states to retain the swamp land within their limits," all lands wet and unfit for cultivation, in this state,

known as swamp lands were granted to this state for the purpose, so far as necessary, of reclaiming such lands by means of levees, and drains, and

Sale by U. S. before selection by state. Whereas, before the selection of any such lands could be made by the state under the provisions of said act, the United States had sold or otherwise disposed of lands in this state covered by said grant, amounting to seventy-one thousand, sixty-eight and seventy-five one hundredths (71,068.75) acres, and on account of such sales and dispositions, this state afterwards received from the United States, as indemnity for such sales and dispositions, seventy thousand six hundred fourteen, and thirty-four one hundredths (70,614.34) acres of other lands, and

Proceeds from sales, being held in trust funds. Whereas, such lands so originally granted by the act of 1850 and such indemnity lands have been in part sold by the state and the same are now being sold from time to time, and the proceeds of such lands are being collected and held for the benefit of the various counties and from time to time paid over to them, in proportion to the amounts of swamp lands in such counties and the said fund so derived, known as the drainage fund, has been held by said state and so paid over, as a trust fund, for the benefit of such lands and the counties and towns in which they are situated, and

Share of normal school fund. Whereas, under the provisions of section 2 of chapter 557, of the laws of 1865, and section 2 of chapter 151, of the laws of 1869, one-half of said drainage fund was required to be held by the state for the benefit of the normal school fund and one-half for the benefit of said counties and towns in proportion to the swamp lands therein, and

Appropriations to Sauk and Columbia counties. Whereas, by chapter 138 of the laws of 1882, the sum of six thousand dollars ($6,000) was appropriated out of said drainage fund for the benefit of lands in Sauk and Columbia counties, for the protection of the valleys of Neenah Creek and Fox river from overflow, and the said sum was, by the commissioners of public lands paid to said Sauk and Columbia counties out of the shares of all other counties in said fund in proportion to the swamp lands therein, and

Failure to deduct normal school fund's share; retentions by U. S. Whereas, by chapter 90 of the laws of 1885, the commissioners of public lands were required to pay to the counties of

Sauk and Columbia from the drainage fund, a sum of money which should represent the total interest of said counties in all of said fund and in the swamp lands then on hand and undisposed of by way of an advancement to said counties, it being provided in said act that the said treasurer should, after the payment to said counties, withhold all their share from the drainage fund, thereafter to be realized, and pursuant to said act, the said land commissioners did pay to the county of Columbia the sum of eight thousand one hundred and fifteen dollars and thirty-six cents ($8,115.36), and to the county of Sauk, the sum of two thousand, nine hundred two dollars and seventy-four cents, ($2,902.74), together amounting to eleven thousand eighteen dollars and ten cents, ($11,018.10) no deduction being made from said payment of the one-half of said drainage fund belonging to the normal school fund under the act of 1865 and the acts of 1869, nor was any deduction whatever made on account of moneys retained by the United States in its treasury from the amount due this state from the United States on account of swamp lands, such retention being made by reason of the unpaid war debt of this state under the direct tax act, so called, levied by the act of congress approved August 5th, 1861, and

Erroneous payment to normal school fund. Whereas, the said moneys so retained by the United States were afterwards paid to this state by the United States, on account of which the state received as a part of the drainage fund, one hundred forty-one thousand, eight hundred seventy-eight dollars and five cents, ($141,878.05), one-half of such sum properly belonging to the normal school fund and one-half to the drainage fund, but by the acts of 1891 and 1893, being chapter 453 of 1891 and chapter 185 of 1893, the whole of said sum of one hundred forty-one thousand, eight hundred and seventy-eight dollars, and five cents, ($141,878.05), was transferred and paid over to the normal school fund and no part thereof retained in the drainage fund, and

Payment to town of Caledonia. Whereas, by chapter 121 of the laws of 1891, the town of Caledonia in the county of Columbia was excepted from the operation and effect of chapter 90 of the laws of 1885 and chapter 340 of the laws of 1889, withholding all drainage moneys from Columbia county until the advances to that county made under those acts had been satisfied, and under said act of 1891, the sum of one thousand, nine hundred and forty-two dollars, and forty-eight cents ($1,942.48), was paid to the county treasurer of Columbia county, for the use of said town of Caledonia, and

Excess of payment to Sauk and Columbia county. Whereas, it thus appears that said counties of Sauk and Columbia have received more than their share of the drainage and indemnity funds, and that such excess has been paid to them from the shares justly due to other counties, and,

Payments to other counties. Whereas, by chapter 492 of the laws of 1887, provision was made for re-paying the counties of Adams, Marquette, Oconto, Forest, Marinette and Florence, on account of moneys taken from the share of said counties to pay Sauk and Columbia counties under the provisions of the acts of 1882 and 1885 aforesaid, and the sum of three thousand, seven hundred and ninety dollars, and thirty-six cents ($3,790.36) was paid such counties out of the drainage fund to replace such moneys so paid to Sauk and Columbia counties, and

Refunding to certain counties. Whereas, by chapter 320 of the laws of 1889, like provision was made for refunding the counties of Dane, Juneau, Kewaunee and Manitowoc for moneys so paid to the counties of Sauk and Columbia, and the sum of nine hundred twenty-two dollars and eighty-three cents ($922.83) was paid such counties under said act of 1889. Therefore,

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Duty of commissioners of public lands in settlement; appropriation. SECTION 1. It shall be the duty of the commissioners of the public lands to carefully and correctly compute and ascertain what sums of money have become due to each and every county of the state from said drainage fund, including the fund received from the sale of said indemnity lands, and taking into consideration changes of county boundaries and the formation of new counties. Such computation shall be based upon the amount of swamp lands in each township in the state. They shall also ascertain what sum or sums of money have been paid to each county of the state for or on account of the drainage or indemnity funds, and compute the balance so as to show either the amount due to any county or the amount of overpayment to it, taking into account the county boundary at the time any such payment or payments were made. They shall proceed upon the assumption that one-half only of the drainage and indemnity fund was due to said counties, but they shall not credit them with any part of the one hundred forty-one thousand, eight hundred seventy-eight dollars and five cents

($141,878.05) transferred to the normal school fund under the acts of 1891 and 1893. Upon such computation being completed and within three months after the publication of the act, the commissioners shall certify to the secretary of state the sum due to each county now existing, and the secretary of of state shall draw his warrant to each such county for the amount due to it from such funds, and the state treasurer shall pay the same and charge the payments so made to so much of the drainage funds as shall be to the credit of such funds, and the balance from the general fund. In case of counties which have already received as much or more than their share of said funds, no payment from the drainage or indemnity funds shall be made to them until sufficient sums have been collected to the credit of such funds to again entitle them to a share thereof. The true intent and meaning of this act is to pay to each county and town its true share of said funds other than the amount carried to the normal school fund by the acts of 1891 and 1893, and to reimburse from the general fund any county or town which has not been paid its full share from said funds by reason of overpayments to any other town or county, and this act shall be liberally construed to effect the purpose aforesaid. There is hereby appropriated from the general fund a sufficient sum of money to carry out the purposes of this act.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 15, 1901.

No. 388, A.] [Published June 15, 1901.

CHAPTER 445.

AN ACT to create the office of county supervisor of assessment, with power to supervise and investigate the work of all local assessors in the county.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

County board to elect supervisor; vacancy. SECTION 1. The county board of all counties, at the annual session in November in 1901 and every third year thereafter, shall elect a county su-

pervisor of assessment who shall hold his office for three years from the first Monday in January following such election and until his successor is elected and qualified. The county board at the annual or special session may fill any vacancy in said office for the unexpired term. The county board may remove said officer for incompetency, fraud or wilful neglect of duty, upon charges preferred, served and ten day's notice of the hearing given him.

Qualifications for office; bond; county to pay commission for. SECTION 2. Such county supervisor of assessment shall be an elector and householder of the county not less than four years before the date of such election. Such officer, before entering upon his duties, shall give a bond to the state of Wisconsin signed by an authorized surety company in the sum of five thousand dollars conditioned for the faithful and impartial discharge of his duties, to be approved by the county judge and shall take and subscribe an oath or affirmation to support the constitution of the United States and of this state and to faithfully, impartially and honestly discharge the duties of his office, which bond and oath of office shall be filed in the office of the clerk of the circuit court. The commission of the surety company signing the bond shall be paid out of the county treasury.

Salary of supervisor; deputies. SECTION 3. The county board at the annual session at which such board shall elect a county supervisor of assessment, and prior to such election, shall fix the compensation of such officer which shall not be increased or decreased during his term of office, but the compensation of said officer shall not exceed the sum of four dollars for each day actually employed in the work of such office, which shall include all his expenses. The county board may authorize the county supervisor of assessment to appoint one or more deputies with the same power as said county supervisor, whose compensation and term of service shall be fixed by the county board, which shall not exceed the compensation or term of service of the supervisor of assessment.

Power of supervisor; meeting of assessors. SECTION 4. The county supervisor of assessment shall have full and complete supervision and direction of the work of the town, city and village assessors of the county and shall annually, on or before the last Tuesday of April, call a meeting of all the assessors of the county for conference and intruction relative to the duties of such assessors in the valuation and assessment of all kinds and classes of property subject to taxation under the laws of the

state. All town, city and village assessors upon notice from said county supervisor by mail, shall attend such meeting, and shall receive the sum of three dollars for attending such meeting, and six cents per mile for travel from their residence to the county seat and returning.

To visit taxing districts. SECTION 5. Such officer shall as often as may be necessary during each year, personally visit each town, city and village in his county. He shall have access to all public records, books and papers of officers throughout the county and shall make a full and complete examination of the same and all matters and subjects relative to the assessment and taxation of property to the end that he may secure accurate knowledge and full information of the assessment of property in the several assessment districts in his county.

Examination and testing of work of assessors. SECTION 6. The county supervisor of assessment shall examine and test the work of assessors during the progress of the assessments and shall have the power to personally value and assess different kinds and classes of property previously assessed by the assessor, so that he may ascertain whether such assessor is assessing property at full value or is omitting property subject to taxation from the roll. Said officer shall have all the rights and powers of an assessor for the examination of persons and property and for the discovery of property subject to taxation. If such officer shall ascertain that any property is omitted or not assessed according to law, he shall bring the same to the attention of the assessor of the proper district and if such assessor shall neglect or refuse to correct the assessment to conform to law, the said county supervisor shall report the facts in writing to the clerk of the board of review in said district at or before the meeting of such board and such clerk shall lay the same before the board of review for its action.

Removal of assessor, when. SECTION 7. Said supervisor of assessment whenever he ascertains or has good reason to believe that any assessor is guilty of a violation of law, he is authorized and empowered to make complaint to the presiding judge for the removal of such assessor. The district attorney shall attend and prosecute such proceedings for removal.

Report of supervisor to county board. SECTION 8. The said supervisor of assessment shall make a report to the county board before each annual session, showing in detail the work of assessors in each of the several districts, the failure, if any, of assessors or property owners to comply with the law, the relative

assessed and true value of property in each assessment district and all such information and statistics he may obtain which will be of assistance to the county board in determining the relative value of all taxable property in each town, city and village in the county. A copy of such report and all statistics accompanying the same shall be filed with the state tax commission.

Re-assessment of taxable property; purpose of. SECTION 9. The county board in order to test the accuracy of the assessment made in any assessment district for any year and to secure information for the better equalization of values between taxing districts, may direct the county supervisor of assessment to make a reassessment of all the taxable property in such assessment district for the same year, and to report the same in the form of an assessment roll to the county board at its next annual session. In making such re-assessment, the value of the property shall be fixed as nearly as may be as of the time the original assessment was made, and such supervisor shall have the powers and be governed by the rules provided by law for assessors in the assessment of property for taxation. In case the aggregate valuation of taxable property as determined by such reassessment shall be ten percent. or more in excess of the aggregate valuation thereof as fixed by the original assessment the compensation paid by the county to the supervisor of assessment or his deputy during the time employed in making the re-assessment not exceeding ninety days in one year for the re-assessment in one district shall be charged to such assessment district, and included as a special charge in the next apportionment of the county and taxed thereto.

Power of state tax commission over; meeting of supervisors. SECTION 10. The county supervisors of assessment shall be under the supervision and direction of the state tax commission. The state tax commision shall call a meeting of the county supervisors of assessment at the capitol at a time to be appointed in the month of February in each year, for a conference on the subject of taxation, the administration of the laws and for the instruction of such officers in their duties. The actual expenses of such officers in attending the annual meeting shall be paid out of the county treasury upon proper vouchers approved by the chairman and clerk of the county board.

Cities of first class exempt. SECTION 11. Cities of the first class having a population of one hundred and fifty thousand or over shall not be subject to the provisions of this act.

SECTION 12. This act shall take effect and be in force, from and after its passage and publication.

Approved May 15, 1901.

No. 140, A.] [Published May 23, 1901.

CHAPTER 446.

AN ACT to prohibit the use of a corporate name for the purpose of conducting any business or occupation in the state of Wisconsin, unless the same be duly registered in the county where the same is located, with the register of deeds of said county, showing the name or names of such person or persons doing business under such corporate name.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Penalty for unlawful use of corporate name. SECTION 1. Any person or persons who shall engage in or advertise any mercantile or commission business under a name purporting or appearing to be a corporate name, with intent thereby to obtain credit, and which name does not disclose the real name or names of one or more of the persons engaged in said business, without first filing in the office of the register of deeds of the county wherein his or their principal place of business may be, a verified statement disclosing and showing the name or names of all persons using such name, shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine not to exceed one thousand dollars or by imprisonment in the county jail not more than one year.

Use of, evidence of obtaining credit. SECTION 2. The adoption of and advertising of any business under any name in its form corporate and not disclosing the name of one or more persons connected with said business, shall be legal evidence that such name is or was adopted or used for the purpose of obtaining credit.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 15, 1901.

No. 422, S.] [Published May 23, 1901.

CHAPTER 447.

AN ACT to correct a mistake in chapter 197 of the laws of 1901, relating to the binding of periodicals of the Wisconsin Academy of Sciences, Arts and Letters.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Appropriation made annual. SECTION 1. Chapter 197 of the laws of 1901, is hereby amended by adding after the word "dollars" in the third line from the bottom of section 1, as printed in the official paper, the words "per annum," so that said chapter, when so amended, shall read as follows: Section 1. Section 341 of the revised statutes of 1898, is hereby amended by adding thereto, the following: "The secretary of state may authorize the state printer to bind in suitable binding all periodicals and other exchanges which the society shall hereafter receive, at a cost not exceeding one hundred and fifty dollars per annum. The secretary of state shall audit the accounts for such binding."

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 15, 1901.

No. 489, A.] [Published May 23, 1901.

CHAPTER 448.

AN ACT to amend chapter 270 of the laws of 1899 relating to the organization of life insurance companies on the stipulated premium plan.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Who may form company; capital stock. SECTION 1. That section 1 of chapter 270 of the laws of Wisconsin of 1899 is hereby amended by striking out the figures "1897" in line eight thereof and in place thereof inserting the figures "1772," so that when amended said section shall read as follows: Section 1. Nine or more persons, residents of the state of Wisconsin, may form a corporation for the purpose of making insurance upon the lives or health of individuals and every insurance appertaining thereto or connected therewith on the stipulated premium plan as defined and regulated in this act, by complying with section 1772 of the statutes of 1898, and any such corporation, company or association may incorporate with a capital stock of not less than fifty thousand dollars or upon the mutual plan as shall be provided in the articles of incorporation.

Law of 1899 construed. SECTION 2. That said chapter 270 of the laws of 1899 shall be construed the same as though it had been originally passed as amended by this act except that no corporate right or privilege heretofore acquired under the provisions of that act or any part thereof, shall be held to be hereby taken away or invalidated and no subsequent act shall be construed as amending, repealing or modifying said chapter 270 of the laws of 1899 or any part thereof, unless that act shall be therein mentioned and the intention to affect it specifically expressed.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 14, 1901.

No. 491, A.] [Published May 23, 1901.

CHAPTER 449.

AN ACT to provide for the survey of land and prescribing the duty of county surveyors and their deputies in such cases.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Who may ask for survey; duty of county surveyor; expense of. SECTION 1. There is hereby created and established a new section of the statutes of 1898 which shall be known and designated as section 827a and shall read as follows: Section 827a. Whenever a majority of all the owners of any section of land within the state of Wisconsin shall desire to establish, re-locate or perpetuate any sectional or other corner thereof, or in the same section a division line thereof, they may make a formal application in writing to the county surveyor of the county in which the land is situated who shall file such application in his office and such county surveyor shall also within a reasonable time give at least ten days' notice in writing to the owner or owners of all adjoining lands, if such owner or owners reside in the county where said land is situated and if not, by publication for three weeks successively in a weekly newspaper nearest to such land, of a notice stating the day and hour when such survey will be commenced and made, and said county surveyor or his deputy duly appointed shall, on the date so fixed, proceed to make the required survey and location. If a corner is to be perpetuated, he shall deposit in the proper place a stone or other equally durable material of the dimensions and in the manner set forth in section 825 of the statutes of 1898, with the markings thereon as provided in said section 825 and shall also enter in his field notes one or more bearing trees if there be such, the species and size, direction and distance thereof, and if there be no trees he shall deposit one or more suitable stones at a sufficient depth as witness to said corner, all of which proceedings shall be accurately entered by said surveyor or his deputy in a suitable book to be kept for that purpose, carefully preserved and which shall together with all applications on file be turned over by such county surveyor to his successor in office upon request and a receipt taken therefor. All expense and cost of the pub-

lication of said notice, if any, and of said survey shall be borne equally in proportion to the land surveyed, by all persons interested and whose land shall be surveyed and the corners of which shall be established.

Conflicting laws repealed. SECTION 2. All acts or any law contravening, conflicting or inconsistent with the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 14, 1901.

No. 552, A.] [Published May 23, 1901.

CHAPTER 450.

AN ACT to amend section 558 of the statutes of 1898, relating to the apportionment of the school fund income.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Duty of town clerk in apportioning school moneys. SECTION 1. Section 558 of the statutes of 1898 is hereby amended to read as follows: Section 558. The town clerk shall apportion all school money received from the state and also all raised by the town, among the several districts and parts of districts within the town, in proportion to the number of persons between the ages of four and twenty years residing in each, taking such number from the last annual report of their respective district clerks. No money shall be apportioned to any district or part of a district, except as herein provided, and as provided in section 554 of this chapter, by the discretion of the state superintendent, unless the last annual report of such district, verified by the affidavit of the district clerk, shall show that all school money received from the state by such district has been used in paying a legally qualified teacher, and that a common school has been taught in such district by such teacher for at least seven

months during the year ending with the date of such report. Provided that any time which such report shall show was spent by the teacher or teachers of said district in attendance upon an institute in the county, and was allowed by the district board without deduction from such teacher's wages therefor, shall be included as a part of such seven months.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 14, 1901.

No. 611, A.] [Published May 23, 1901.

CHAPTER 451.

AN ACT to amend section 1737 of the statutes of 1898, relating to the standard rule for measuring logs.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Table showing standard scale; use of other. SECTION 1. Section 1737 of the statutes of 1898 is hereby amended, so as to read as follows: Section 1737. The standard rule for scaling or measuring logs in the said districts shall be in accordance with the following table, showing the length of the log in feet, the diameter in inches and the number of feet of lumber, board measure, contained in each log, to-wit:

Length of log in feet.	Diameter of log at small end in inches	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
12 feet.....	Scale in feet	10	20	20	30	30	40	60	70	90	110	120	140	160	180	210	230	250	280	300	340	370	410	440	460	490
14 feet.....	Scale in feet	10	20	20	30	40	50	70	80	100	120	140	160	190	210	240	270	290	330	350	400	440	480	510	530	570
16 feet.....	Scale in feet	20	30	20	40	60	70	80	100	110	140	160	180	210	240	280	300	330	380	400	460	500	550	580	610	660
18 feet.....	Scale in feet	20	30	30	40	60	80	90	110	130	160	180	210	240	270	310	340	380	420	450	520	560	620	650	680	740
20 feet.....	Scale in feet	20	30	30	40	70	80	100	120	140	180	200	230	270	300	350	380	420	470	500	570	620	680	730	760	820
22 feet.....	Scale in feet	30	40	40	50	80	90	110	130	160	200	220	250	290	330	380	420	460	520	550	630	690	750	800	840	900
24 feet.....	Scale in feet	30	40	40	60	90	100	120	150	170	210	240	280	320	360	420	460	500	570	610	690	750	820	870	910	990

31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48
530	550	590	600	660	690	770	800	840	900	950	1010	1050	1110	1140	1190	1240	1300
620	640	690	700	770	810	900	930	980	1050	1110	1170	1220	1290	1330	1390	1450	1510
710	740	780	800	880	920	1030	1070	1120	1200	1270	1340	1400	1480	1520	1590	1660	1730
800	830	880	900	990	1040	1160	1200	1260	1350	1430	1510	1570	1660	1710	1780	1860	1940
890	920	980	1000	1090	1150	12 0	1330	1400	1500	1590	1680	1740	1830	1900	1980	2070	2160
980	1010	1080	1100	1200	1270	1440	1470	1540	1660	1750	1830	1920	2040	2.90	2190	2280	2380
1080	1100	1180	1200	1310	1380	1540	1600	1680	1800	1900	2020	2100	2220	2280	2380	2480	2600

Other rules may be used at the request of the owner of logs; but in all such cases the bill of the inspector shall state by what rule the logs were scaled or measured.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 14, 1901.

No. 661, A.] [Published May 23, 1901.

CHAPTER 452.

AN ACT providing for certain changes in the capitol building for the convenience of the legislature.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Character of changes to be made. SECTION 1. The superintendent of public property is hereby directed to make the following changes in the present provisions for the convenience and use of the senate and assembly prior to the convening of the next legislature; provide a suitable suite of two rooms on the same floor with the chambers and as convenient to them as may be for a joint legislative post office and telegraph and telephone room, which rooms shall be provided with a suitable case containing one hundred and eighty lock-boxes for the use of the members, officers and employees of the two houses; provide a suite of three rooms, also on the same floor with the chambers, for the use of the typewriters employed for the legislature; remove the cases in the present legislative post offices, and connect the two rooms adjacent to each house for the uses of the clerks to be employed in the document and stationery rooms; have all of the doors within the respective chambers and approaching them and the galleries placed on swing-hinges and glass panels placed in the doors leading to the chambers and to the galleries.

Appropriation. SECTION 2. There is hereby appropriated out of the general fund a sufficient amount of money to carry this act into effect.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 14, 1901.

No. 656, A.] [Published May 23, 1901.

CHAPTER 453.

AN ACT to amend chapter 229 of the laws of 1901, relating to dams built by towns, cities and villages for municipal purposes.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Pending litigation, not affected. SECTION 1. Chapter 229 of the laws of 1901 is hereby amended by adding to the end of section one the following: Provided, that nothing herein shall in any manner affect any litigation pending before the passage of chapter 229, laws of 1901.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 14, 1901.

No. 653, A.] [Published May 23, 1901.

CHAPTER 454.

AN ACT to amend section 2464 of the statutes of 1898, as as amended by chapter 25 laws of 1901 relating to county courts.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Special terms of county court, when and where held. SECTION 1. Amend section 2464 of the statutes of 1898, as amended by chapter 25 laws of 1901, so that said section when amended shall read as follows: Section 2464. The county judges of the counties of Grant, Columbia, Washington, Waukesha, Pepin, Dodge and Green Lake, may keep their offices and hold special terms of the county court at any time between the times of holding the regular terms and transact any business which might be done at, or which may be continued from any regular term to such special term at the following places, in their respective counties. In the county of Grant at the city of Platteville, in the county of Columbia at the city of Columbus, in the county of Washington at the city of Hartford, in the county of Waukesha at the city of Oconomowoc, in the county of Pepin at the village of Pepin, in the county of Dodge at Beaver Dam and Mayville, in the county of Green Lake at Princeton and Berlin. All orders, judgments and business which shall be made or done at such special terms and places or as shall have been heretofore so made or done are declared valid.

SECTION 2. This act shall take effect and be in force, from and after its passage and publication.

Approved May 14, 1901.

No. 9, A.] [Published May 23, 1901.

CHAPTER 455.

AN ACT to authorize Charles R. Smith, Henry S. Smith, L. J. Noble and their associates and assigns to build and maintain dams across the Flambeau river, in the county of Chippewa, in the state of Wisconsin.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Location of dam. SECTION 1. Charles R. Smith, Henry S. Smith, and L. J. Noble, their heirs and assigns, are hereby authorized to construct and maintain a dam across the Flambeau river in Chippewa county, Wisconsin, on the north half of section 30, township 35 north, of range 5 west; and also another dam across said Flambeau river on fractional lot 7 and fractional lot 1, section 2 township 34 north, of range 6 west; such dams to be constructed and maintained for milling, manufacturing and hydraulic purposes; also to erect and maintain on and in said river on said lands, mills, machinery, booms and piers and all other structures, appendages and improvements necessary and proper to enable it to use the water of said river for said purposes; also to deposit and hold logs and timber in the ponds created by said dams, to be manufactured at such mills.

Log slides. SECTION 2. The dams and all of said structures and improvement shall be so constructed as not to retard the driving of logs and timber down said river and over and through said dams, and a passageway for such logs and timber shall be kept open free of charge whenever there shall be any logs or timber to pass down said river.

Fishways. SECTION 3. Such dams shall also contain good and sufficient fishways, permitting the easy and free passage of fish up and down said stream.

Power to acquire flowage rights. SECTION 4. Said Charles R. Smith, Henry S. Smith, L. J. Noble their heirs and assigns, for the purpose of acquirng any flowage rights which they or either of them may deem necessary in carrying out the provisions of this act, may exercise all powers granted to corporations by sections 1777 to 1777d inclusive, of the revised statutes of Wisconsin, which are not inconsistent with the provisions and purposes of this act.

Right to amend, etc., reserved. SECTION 4 [5]. The right to amend or repeal this act is hereby reserved.

SECTION 5 [6]. This act shall take effect and be in force, from and after its passage and publication.

Approved May 14, 1901.

No. 660, A.] [Published May 16, 1901.

CHAPTER 456.

AN ACT to amend chapter 295 of the laws of 1901, relating to the time of holding the first town meeting in the town of of Atlanta, in Chippewa county.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Time of holding first town meeting. SECTION 1. Section 4 of said chapter 295, of the laws of 1901 is hereby amended by striking out the word "second" in the first line thereof, and insert in place thereof the word "fourth," so that said section when so amended shall read as follows: Section 4. The first town meeting of said town of Atlanta shall be held on the fourth Tuesday of May A. D. 1901, in the dwelling house formerly owned by one James Arrance, on the southeast quarter of the northwest quarter of section 31 in township 35 north, of range 7 west, of the fourth principal meridian in the state of Wisconsin.

Of meeting to make settlement between towns. SECTION 2. Section 8 of said chapter 295 of the laws of 1901, is hereby amended by striking out the words "May, A. D. 1901," where the same occur in the second and sixth lines thereof and insert in lieu the following: "June A. D. 1901," so that said section when so amended shall read as follows: Section 8. The supervisors of the town of Big Bend and the supervisors of the new town of Atlanta shall on the twenty-first day of June, A. D. 1901, meet at the office of the town clerk of the town of Big Bend, for the purpose of making a settlement between said two towns according to the provision of this act and the

upervisors of the town of Strickland and the supervisors of he new town of Atlanta shall on the twenty-eighth day of June, A. D. 1901, meet at the office of the town clerk of the town of Strickland for the purpose of making a settlement between aid two towns according to the provisions of this act and at either and all of said meetings any three of the said supervisors shall have full power and authority to send for persons, books, papers and records of any other town necessarily involved in such settlement; and the clerk of the town from which any territory is detached by the terms of this act shall be the clerk of such meeting and the town clerk of the new town of Atlanta shall assist, and sufficient duplicates of all proceedings had shall be made in order that each town shall have one for the use and information of the town clerk thereof. Each town shall be chargeable with the expense and for the services and per diem of its own officers only.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 14, 1901.

No. 347, A.] [Published May 23, 1901.

CHAPTER 457.

AN ACT to amend sections 36, 37, 38 and 40 of the statutes of 1898, as amended by chapter 349 of the laws of 1899, relating to the form of official ballots for general elections.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Notice of nominations; publication of. SECTION 1. Section 36 of the statutes of 1898 is hereby amended so as to read as follows: Section 36. At least seven days before an election to fill any public office the county clerk of each county shall cause to be published in at least two and in not more than four newspapers, published within the county, the nominations to office certified to or filed with him. One of such publications shall be made in a newspaper which advocates the prin-

ciples of the political party that at the last preceding election cast the largest number of votes, and at least one of the other publcations shall be made in a newspaper which advocates the principles of the political party that then cast the next largest number of votes. The county clerk shall make such publications in two daily newspapers in counties having such, one of which publications shall be on the last Monday preceding election day and the other one week previously; but if there be no daily newspaper published within the county, one publication in each weekly newspaper selected shall be sufficient. In case of a municipal election such publication shall be made by the city clerk two times in not more than two newspapers published in such city, but in case no daily newspaper be published in such municipality, there shall be one publication made in the weekly papers selected. One of such publications in each newspaper shall be upon the last day upon which it is issued before election. In addition to the publication required to be made by this section, so much of the following section as relates to information to voters may be published in the papers hereinbefore mentioned, and in such papers as are printed in foreign languages, fairly translated into such language, with illustrative examples as to the proper manner of marking a ballot, as in the judgment of the clerk may be proper and necessary.

Form of; information to voters; marking of ballot; compensation for publishing. SECTION 2. Section 37 of said statutes as amended by said chapter 349, is amended to read as follows: Section 37. In making publication of an election notice, the county or city clerk, as the case may be, shall precede the same with a statement which shall be substantially in the following form, to be modified or varied according to the nature of the election, the caption to which shall be conspicuously displayed, but in no case, shall the space occupied by said caption be more than one and one-fourth inches in depth.

ELECTION NOTICE.

Office of ..... Clerk.
....., 19....

To the electors of ..... county or city:

Notice is hereby given that a general election or judicial or city, or school, or special, or judicial and city election, as the case may be, is to be held in the several towns, wards and elec-

tion precincts in the county or city of ....., on the ..... day of ....., 19...., at which the officers named below are to be chosen. The names of the candidate for each office to be voted for, whose nominations have been certified to this office, are given opposite the title of the office and under the appropriate party or other designation, each in its proper column, and the questions submitted to a vote are stated below.

INFORMATION TO VOTERS.

The following instructions are given for the information and guidance of voters. A voter upon entering the polling place and giving his name and residence, will receive a ballot from the ballot clerk which must have endorsed thereon the names or initials of both ballot clerks, and no other ballot can be used. Upon receiving his ballot, the voter must retire alone to a booth or compartment and prepare the same for voting. A ballot clerk may inform the voter as to the proper manner of marking a ballot, but he must not advise or indicate in any manner whom to vote for. If it be a general election these words are to follow: the voter if he wishes to vote for all the candidates nominated by any party should make a cross mark X under the party designation printed at the top of the ballot in the circle made for that purpose. A ballot so marked, and having no other mark, will be counted for all the candidates of that party in the column underneath, unless the names of some of the candidates of the party have been erased or a cross mark be placed in the square under the name or at any place in the space occupied by the name or names of candidates in another column, and will be counted for any name written in lieu of one erased. If the voter wishes to vote for some of the candidates of different political parties, he should make a cross mark under the name of each candidate he desires to vote for, or at any place within the space in which the name is printed. If he wishes to vote for a person for a certain office whose name is not on the ballot, he must write the name in the blank space under the printed name of the candidate for the office. The ballot should not be marked in any other manner. If the ballot be spoiled it must be returned to the ballot clerk, who must issue another in its stead, but not more than three in all to any one voter. Five minutes' time is allowed in booth to mark ballot. Unofficial ballots or memorandum to assist the voter in marking his ballot can be taken into the booth, and may be used to copy from. The

ballot must not be shown so that any person can see how it has been marked by the voter. After it is marked it should be folded so that the inside cannot be seen, but so that the printed indorsements and signatures of the ballot clerks on the outside may be seen. Then the voter should pass out of the booth or compartment, give his name to the inspector in charge of the ballot box, hand him his ballot to be placed in the box, and pass out of the voting place. A voter who declares to the presiding officer that he is unable to read, or that by reason of physical disability he is unable to mark his ballot, can have assistance of one or two election officers in marking the same, to be chosen by the voter; and if he declares that he is totally blind, he may be assisted by any person chosen by him from among the legal voters of the county. The presiding officer may administer an oath in his discretion, as to such person's disability. The party designations and candidates for the different offices are, for example, as follows: insert list of party designations and candidates.

Office.	Democratic ticket.	Peoples' ticket.	Prohibition ticket.	Republican ticket.	Ind. nominations.
Governor	A. B.	B. C.	C. D.	D. E.	E. F.
Lieutenant Governor.....	F. G.	G. H.	H. I.	I. J.	J. K.

....County Clerk.

The body of said notice shall be set in the type of the regular reading matter of the paper making the publication which shall not be larger than long primer nor smaller than minion and shall contain at least seven lines of type to the inch. The titles of offices and names of candidates shall be separated in the notice by blank spaces not exceeding one-twelfth of an inch in thickness and the columns containing the titles of offices and the names of candidates shall not exceed two and one-sixth inches in width. No other or further publication of notice provided for by this and the preceding section shall be required to be made by any county or city clerk, except that in cities, the clerk shall at the foot of such notice, specify the place of voting in each election precinct, and the hours of opening and closing the polls. The compensation to be paid for all publications of such notice shall be one dollar per square for weekly papers and two dollars per square for daily papers, but the total shall in no case exceed the amounts hereinafter specified, to-wit: for a general election in weekly newspapers one hundred and twenty dollars, and in daily newspapers two hundred and

orty dollars; for a judicial election, in weekly newspapers wenty-five dollars and in daily newspapers fifty dollars; for a unicipal election, in weekly newspapers thirty-five dollars nd in daily newspapers seventy dollars, which shall cover ll insertions required to be made; provided, that in cities of he first class said notice shall be published daily and the comensation for publication of said notice shall be at the rate of ne dollar per square for the first insertion, and seventy-five ents per square for each subsequent insertion. The word quare as used in this section shall be construed to mean a space ne inch in length of the column of the newspaper in which ny such notice is published; but any fraction of a square shall e paid for as a full square.

Specifications of ballot; form of; individual nominations for idicial or municipal elections. SECTION 3. Section 38 of said tatutes, as amended by said chapter 349 is hereby amended so s to read as follows. Section 38. Every ballot printed uner the provisions of this chapter for use at general elections hall be upon white print paper at least twelve inches wide nd of any sufficient length to afford space for all the tickets r several candidates in columns therein; said paper shall be ut from sheets twenty-four by thirty-six inches in size, and eighing thirty-five pounds to the ream; if a different sized heet is used the weight per ream shall be proportioned as above. 'he several regular party tickets nominated by conventions r by regularly constituted and authorized committees, shall e printed each in a separate column, under the appropriate arty designation, the columns to be arranged alphabetically ccording to the first letter of the party name, thus democratic arty, labor party, prohibition party, republican party, which olumns are to be separated by heavy black lines no less than ne-eighth of an inch wide; such party designation to be given s hereinbefore provided. On the left hand side of the ticket hall be a column designating the office to be voted for, and n the same line, in the columns under the appropriate party esignations of each, all the names of candidates duly nomiated for that office, shall be printed in a space separated from he other names in that column by a line not less than one-ixteenth of an inch wide; provided, that no county clerks shall lace the name of any person upon such ballot as a candidate f the office of county superintendent of schools, unless such erson shall have filed in such clerk's office, at least ten days efore the day of election at which such superintendent is to e elected, proof of having successfully taught in one or more

of the public schools of this state, for the period of eight months, and a copy of a certificate entitling him to teach in any such school or of a certificate known as a county superintendent's certificate unless such person, before the first day of May, 1895, had held the office of county superintendent of schools in this state. There shall be a space of two inches at the top of each column in which shall be placed the party designation and under that the names of the candidates for president and vice president, respectively, of that party; and in the space under the party designation and names of the candidates for president and vice president a circle of three-eighths of an inch in diameter formed by black lines, in which the voter by his mark may declare that he votes for all names printed in that column, except such as are erased or written over or otherwise marked as hereinafter specified. There shall also be left under the name of each candidate sufficient space to write a name therein in lieu of the one printed; and under the name of each candidate there shall be a space inclosed in a square of black lines in which the voter may designate by a cross mark, or other mark, his choice for each candidate. No pasting names over a ticket or over any names thereon shall be allowed, and no names so pasted shall be counted except as provided in section 34. When any person is nominated for the same office, by more than one party or convention, his name shall be placed upon the ticket under the designation of the party which first nominated him, or if he was nominated by more than one party or convention at the same time, he shall, within the time fixed by law for filing certificates of nomination, file with the officer with whom his certificate of nomination is required to be filed, a written election indicating the party designation under which he desires his name to be printed on the ballot, and it shall be so printed. If he shall refuse or neglect to so file such an election, the officer with whom the certificate of nomination is required to be filed, shall place his name under the designation of either of the parties by which he was nominated, but under no other designation whatever. The names of persons nominated by paper nominations shall be placed in one or more columns under the designation of the individual nominations, and on the same line with the office for which they are nominated, and after the name of each shall be printed his party designation as given in his nomination papers, and under that the space for marking, provided that the name of the same individual shall not be placed on the ticket under the head of individual nominations if his name

already appears under a party designation. On the back and outside of every ballot shall be printed the words, official ballot for ....., followed by the designation of the polling place for which the ballot is prepared and the date of the election, the official endorsement and blank certificates in the following forms: I certify that the within ballot was marked by me for an elector incapable under the law of marking his own ballot, and as directed by him.

.....,
Inspector of Election.

I certify that the within ballot was marked by me for a blind elector at his request, and as directed by him.

.....

No party designation need be placed upon the ballots for school or judicial officer, except for county or district superintendents of schools outside of cities. Ballots for judicial and city elections shall be printed upon the quality of white print paper hereinbefore specified, and shall be of sufficient size to afford space for all the tickets or several candidates in columns therein. Party candidates shall be arranged thereon as above provided for ballots at general elections, and the names of persons nominated by nomination papers, and not included in the regular convention tickets, shall be placed as is provided for individual nominations on the ballots at general elections. Such ballots shall have similar matter printed on the back and outside as other official ballots are required to have.

Form of. SECTION 3 [4]. Section 40 of said statutes, as amended by said chapter 349 is hereby amended so as to read as follows: Section 40. The official ballots for general elections and for regular city elections, with the indorsements thereon, and the instructions given at the head thereof as herein amended, shall be in substantially the annexed form,* provided, that ballots for such city elections may be varied as to the titles of the offices to be printed thereon, to conform to the law under which each such election is held.

SECTION 4 [5]. This act shall take effect and be in force, from and after its passage and publication.

Approved May 14, 1901.

*This form was omitted from the enrolled bill, and consequently does not appear here, as has been customary.

No. 419, S.] [Published May 23, 1901.

CHAPTER 458.

AN ACT to amend chapter 365 of the laws of 1897 as amended by chapter 345 of the laws of 1899, relating to estimating, appraising and sale of state lands.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Withdrawing all lands from sale; appraisal of. SECTION 1. Section 6 of chapter 367 of the laws of 1897, as amended by chapter 345 of the laws of 1899, is hereby amended so as to read as follows: Section 6. All other lands owned by the state shall be withdrawn from public sale; all such lands so withdrawn and all lands which may hereafter be selected by the state or approved or patented to the state by the United States shall be examined by the persons duly appointed as provided by section three of this act and appraised as hereinafter provided by section three of this act and appraised as hereinafter provided and shall be offered for sale at such times and places as is deemed for the best interest of the state.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 15, 1901.

No. 650, A.] [Published May 23, 1901.

CHAPTER 459.

AN ACT to provide for the use of voting machines for elections in this state.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Wisconsin Voting Machine Commission created; appointment and oath of. SECTION 1. Be it enacted that there is hereby constituted a body to be known as the Wisconsin Voting Machine Commission. It shall consist of three members, competent and responsible persons, two of whom shall be mechanical experts, not more than two of whom shall be members of the same political party, and none of whom shall have any pecuniary interest in any voting machine. Their term of office shall be five years from the date of appointment. They and their successors shall be appointed by the governor, who shall have power to remove a commissioner at any time and to fill all vacancies. The first commissioners shall be appointed within thirty days after the taking effect of this act. The commissioners shall qualify by taking an oath in writing to support the constitution of the United States and of the state of Wisconsin and to faithfully and honestly discharge their duties, and filing the same in the office of the secretary of state; and all such examinations shall be public.

Submission of machines for examination; approval of. SECTION 2. Any person or corporation, owning or being interested in any voting machine, may apply to said commission to examine such machine, and report on its accuracy, efficiency and capacity. The commissioners shall examine the machine and make and file a report thereon in the office of the secretary of state. They shall state in the report whether the kind of machine so examined complies with the requirements of this act and can be safely used by voters at elections under the conditions prescribed in this act. If the report be in the affirmative upon said questions, the machine shall be deemed approved by the commission, and machines of its kind may be adopted for use at elections as herein provided. When the machine has been so approved, any improvement or change that does not

impair its accuracy, efficiency or capacity, shall not render necessary a re-examination or re-approval thereof; any form of voting machine not so approved, cannot be used at any election. Each commissioner shall be entitled to one hundred dollars for his compensation and expenses in making such examination and report, to be paid by the person or corporation applying for such examination, which may be demanded in advance of making the examination. The commission may, if it consents so to do, go to any point in the state for the purpose of examining a machine, but it shall not be compelled to make an examination at any place other than the capital of the state.

Qualifications required of machines. SECTION 3. No machine or machine system shall be approved by the commission unless it be so constructed as to afford every elector a reasonable opportunity to vote for any person for any office or for or against any proposition for whom, or for or against which he is by law entitled to vote and enable him to do this in secrecy; and it must be so constructed as to preclude an elector from voting for any candidate for the same office or upon any question more than once, and from voting for any person for any office for whom he is not by law entitled to vote. The machine or machine system may be provided with one lever or device, by the use of which an elector may vote for all candidates of one party, if he so desires, but it must admit of his voting a split ticket as he may desire. It must also be so constructed as to register or record each and every vote cast. For presidential electors one device may be provided for voting for all the candidates of one party at one time by the use of such device, opposite or adjacent to which shall be a ballot on the machine containing the names of all of the candidates for all presidential electors of that party and a vote registered or recorded by the use of such device shall be counted for each of such candidates on said ballot. The machine must be constructed so that it cannot be tampered with or manipulated for any fraudulent purpose; and the machine must be so locked, arranged, or constructed that during the progress of the voting no person can see or know the number of votes registered or recorded for any candidate.

Powers of council, etc., to purchase. SECTION 4. The common council of any city, the trustees of any village and the town board of any town may adopt and purchase for use in the various precincts, any voting machine approved in the man-

ner above set forth in this act, by the voting machine commission and none other. If it shall be impracticable to supply each and every election district with a voting machine or voting machines at any election following the adoption of such machines in a city, village or town, as many may be supplied as it is practicable to procure, and the same shall be used in such precinct of the municiplity, as the proper officers may order. The proper officers of any city, village or town may, not later than the first day of September, in any year in which a general election is held, unite two or more precincts into one for the purpose of using therein at such election a voting machine, and the notice of such uniting shall be given in the manner prescribed by law for the change of election districts.

Payment for. SECTION 5. Payment for voting machines purchased may be provided for in such manner as is deemed for the best interests of the city, village or town and may borrow money for that purpose.

How placed in voting booth; duty of inspectors. SECTION 6. The room in which the election is held shall have a railing separating that part of the room to be occupied by the election officers from that part of the room occupied by the voting machine. The exterior of the voting machine and every part of the polling place shall be in plain view of the inspectors. The machine shall be so placed that no person on the opposite side of the railing can see or determine how the voter casts his vote, and that no person can so see or determine from the outside of the room. After the opening of the polls the inspectors shall not allow any person to pass within the railing to that part of the room where the machine is situated except for the purpose of voting and except as provided in the next succeeding section of this act; and they shall not permit more than one voter at a time to be in such part of the room. They shall not themselves remain or permit any person to remain in any position that would permit him or them to see or ascertain how the voter votes or how he has voted. No voter shall remain within the voting machine booth or compartment longer than one minute, and if he should refuse to leave it after that lapse of time, he shall at once be removed by the inspectors.

Assistance to physically disabled voter; penalty for deceiving. SECTION 7. If any voter shall, in the presence of the election board, declare that he is unable to read or write the English

language or that by reason of physical disability or total blindness he is unable to register or record his vote upon the machine, he shall be assisted as provided by section 54 of the statutes of 1898. Any person who shall deceive any elector in registering or recording his vote under this section, or who shall register or record his vote in any other way than as requested by such person, or who shall give information to any person as to what ticket or for what person or persons such person voted, shall be punished as provided in section 4545 statutes of 1898.

Ballots, how provided for; sample ballots; posting of. SECTION 8. Ballots shall be provided by the respective city and county clerks for all the candidates to be voted for at an election and of suitable size to fit the space provided for that purpose on or in the machine and each shall be placed on or in the machine adjacent to or on the registering or recording device therefor. The ballots shall be placed on or in the machine in the order of arrangement provided by section 39 of the statutes of 1898, except that they may be vertical columns or horizontal rows. Ballots for all questions must be provided in the same manner and must be arranged on or in the machine in the places provided for such purpose. The officer charged with the duty of providing ballots for any polling place, shall provide therefor five sample ballots which shall be exact copies of the official ballots which are caused to be printed by them, but on different colored paper from the official ballots; said sample ballots shall be arranged in the form of a diagram showing the entire front of voting machine as it will appear after the ballots are arranged thereon for voting on election day. Such sample ballots shall be posted by the inspectors of the precinct, near the entrance of the election booth and shall there be open to public inspection during the whole of election day. In addition to said sample ballots, the proper officers may furnish in connection therewith, instruction cards, diagrams of the front of the machine with ballots pasted thereon, at least two of which shall also be posted up near the voting place, if furnished. All ballots shall be published as now provided by law. The ballots for the machines, and also sample ballots, shall be furnished the inspectors at least one day before the election.

Duty of inspectors as to ballots; setting of machine. SECTION 9. The inspectors of each election precinct in which a voting machine is to be used shall cause the proper ballots to be put upon each machine corresponding with the sample ballots here

in provided for, and the machines in every way put in order, set and adjusted, ready for use in voting when delivered at the precinct, and for the purpose of so labeling the machines, putting in order, setting and adjusting the same, they may employ one or more competent persons who shall be paid the same compensation as the inspectors. And they shall cause the machine so labeled, in order and set and adjusted, to be delivered at the voting precinct, together with all necessary furniture and appliances that go with the same, in the room where the election is to be held in the precinct, in time for the opening of the polls on election day. The inspectors shall compare the ballots on the machine with the sample ballot, see that they are correct, examine and see that all the counters, if any, in the machine are set at zero, and that the machine is otherwise in perfect order, and they shall not thereafter permit the machine to be operated or moved except by electors in voting, and they shall also see that all necessary arrangements and adjustments are made for voting irregular ballots on the machine, if such machine be so designed.

Irregular ballots; names not on official, how voted. SECTION 10. In case a voting machine be adopted which provides for the registry or recording of votes for candidates whose names are not on the official ballot, such ballots shall be denominated irregular ballots. A person whose name appears on a ballot or on or in a machine or machine system, shall not be voted for, for the same office or on or in any irregular device for casting an irregular ticket, and any such vote shall not be counted, except for the office of presidential electors, and an elector may vote in or on such irregular device for one or more persons nominated by one party with one or more persons nominated by any or all other parties, or for one or more persons nominated by one or more parties with one or more persons not in nomination, or he may vote in such irregular device a presidential electoral ticket composed entirely of names of persons not in nomination.

Locking of machine at close of polls; determining result. SECTION 11. As soon as the polls of the election are closed, the inspectors shall immediately lock the machine, or remove the recording device so as to provide against voting, and open the registering or recording compartments in the presence of any person desiring to attend the same and shall proceed to ascertain the number of votes cast for each person voted for at the election, and to canvass, record, announce and return the same as provided by law.

Sealing of machine after count; return of irregular ballots and tally sheets. SECTION 12. The inspectors as soon as the count is completed and fully ascertained, shall seal, close, lock the machine, or remove the record so as to provide against voting or being tampered with, and in case of a machine so sealed or locked, it shall so remain for a period of at least thirty days, unless opened by order of a court of competent jurisdiction. When irregular ballots have been voted, the inspectors shall return them in a properly sealed package endorsed "irregular ballots," and indicating the precinct and county and file such package with the county clerk. It shall be preserved for six months after such election and may be opened and its contents examined only upon an order of a court of competent jurisdiction; at the end of such six months, unless ordered otherwise by the court, such package and its contents shall be destroyed by the county clerk. All tally sheets taken from such machine, if any, shall be returned in the same manner.

Election laws made applicable to machine system. SECTION 13. All laws of this state applicable to elections where voting is done in another manner than by machine, and all penalties prescribed for violation of such laws shall apply to elections and precincts where voting machines are used in so far as they are not in conflict with the provisions of this act.

Penalty for officers' neglect of duty. SECTION 14 Any public officer or any election officer upon whom any duty is imposed by this act or who shall wilfully neglect or omit to perform such duties, or do any act prohibited herein for which punishment is not otherwise provided herein, shall upon conviction, be imprisoned in the state prison for not less than one year or more than three years or be fined in any sum not exceeding one thousand dollars, or may be punished by both such imprisonment and fine.

Penalty for tampering with machine after placed in booth. SECTION 15. Any person not being an election officer who, during any election or before any election, after a voting machine has had placed upon it the ballots for such election, who shall tamper with such machines, disarrange, deface, injure or impair the same in any manner, or mutilate, injure, or destroy any ballot placed thereon or to be placed thereon or any other appliance used in connection with such machine, shall be imprisoned in the state prison for a period of not more than ten years or be fined not more than one thousand dollars or be punished by both such fine and imprisonment.

Penalty for tampering with to affect result. SECTION 16. Whoever, being an inspector of election with intent to permit or cause any voting machine to fail to correctly register or record any vote cast thereon, tampers with or disarranges such machine in any way, or any part or appliance thereof, or who causes or consents to said machine being used for voting at any election with knowledge of the fact that the same is not in order, or not perfectly set and adjusted, so that it will correctly register or record all votes cast thereon or who, for the purpose of defrauding or deceiving any voter or of causing it to be doubtful for what ticket or candidate or candidates or proposition any vote is cast, or of causing it to appear upon said machine that votes cast for one ticket, candidate or proposition were cast for another ticket, candidate or proposition, removes, changes or mutilates any ballot on said machine, or any part thereof, or does any other like thing shall be imprisoned in the state prison not more than ten years or fined not exceeding one thousand dollars, or punished by both such fine and imprisonment.

Penalty for incorrect return of result. SECTION 17. Any inspector or clerk of an election who shall purposely cause the vote registered or recorded on or in such machine to be incorrectly taken down as to any candidate or proposition voted on, or who shall knowingly cause to be made or signed any false statement, certificate, or return of any kind, of such vote, or who shall knowingly consent to such things, or any of them being done, shall be imprisoned in the state prison not more than ten years, or fined not more than one thousand dollars, or punished by both such fine and imprisonment.

Election by experimental use of machine declared valid. SECTION 18. The proper officers authorized by this act to adopt voting machines, may provide for the experimental use at an election in one or more precincts, of a machine approved by the Wisconsin Voting Machine Commission without a formal adoption or purchase thereof and its use at such election shall be as valid for all purposes as if formally adopted.

SECTION 19. This act shall take effect and be in force, from and after its passage and publication.

Approved May 14, 1901.

No. 408, S.] [Published May 23, 1901.

CHAPTER 460.

AN ACT to appropriate a certain sum of money to Troop "A" First Cavalry, Wisconsin National Guard to cover extraordinary expenses required to maintain and instruct mounted organizations.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Purpose of appropriation. SECTION 1. In addition to all other appropriations and allowances provided for Troop "A" First Regiment Cavalry, Wisconsin National Guard, the troop shall receive, subject to the approval of the governor twenty-five hundred dollars annually as an extra allowance for the purchase of a sufficient number of suitable horses, and for the expense incident to their keep and care.

Appropriation. SECTION 2. There is hereby annually appropriated out of any money in the state treasury, not otherwise appropriated, the sum of twenty-five hundred dollars to make the purchases and defray the expenses authorized by this act.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved May 15, 1901.

No. 262, S.] [Published May 24, 1901.

CHAPTER 461.

AN ACT to amend section 1826 of the statutes of 1898 relating to the increase of capital stock by railroad corporations.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Purposes for increase; proceedings for; filing of statement. SECTION 1. Section 1826 of the revised statutes, is hereby amended by striking out in line three the words "for the construction or operation of its road" and inserting in place thereof the following: "For the purchase or construction of any railroad which it may be legally empowered to purchase or construct; for additions to or improvements of its railroad or property; for additional equipment which may be necessary in the operation of its railroad, and for real estate that may be needed by said corporation for railway purposes." And also by striking out the words "by a vote of the owners of at least two-thirds of all its stock" in lines three and four and inserting in place thereof the words "by a majority vote of all its stock;" also by adding at the end of said section the following: "Every such corporation, so increasing its capital stock, shall file with the secretary of state, whenever issues of stock shall be made under this section, a report showing the amount issued and the purposes to which it has been, or is to be, devoted, which report shall be verified by the oath of the president or the general manager thereof, and of the chief engineer;" so that said section 1826, when so amended, shall read as follows: Section 1826. The capital stock of any such corporation may be increased to such an amount as may by its stockholders be deemed necessary for the purchase or construction of any railroad which it may be legally empowered to purchase or construct; for additions to or improvements of its railroad or property; for additional equipment which may be necessary in the operation of its railroad, and for real estate that may be needed by said corporation for railway purposes, by a majority vote of all its stock, in person or by proxy at any annual meeting, or at any meeting called by its directors for that purpose, by a notice in writing to each stockholder, to be served on him personally

or by depositing the same in the postoffice, postage paid, properly directed to him at the postoffice nearest his usual place of residence, at least twenty days prior to such meeting. Such notice shall state the time and place of such meeting, its object and the amount to which it is proposed to increase such capital stock. No vote in favor of such increase shall take effect until the proceedings of such meeting, showing the names of all of the stockholders voting therefor and the amount of stock owned by each, shall be entered upon the records of such corporation. Every such corporation, so increasing its capital stock, shall file with the secretary of state, whenever issues of stock shall be made under this section, a report showing the amount issued and the purposes to which it has been, or is to be, devoted, which report shall be verified by the oath of the president or the general manager thereof, and of the chief engineer.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 15, 1901.

No. 423, S.] [Published May 18, 1901.

CHAPTER 462.

AN ACT to authorize William Gunther, A. D. Johnson and A. B. Whitman, their and each of their heirs, executors, administrators and assigns to build and maintain a dam across and to improve the navigation of the Wisconsin river above the same, and for the purpose of creating hydraulic power.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Location of dam. SECTION 1. Willian Gunther, A. D. Johnson and A. B. Whitman, their and each of their heirs, executors, administrators and assigns are hereby authorized to build and maintain a dam across the Wisconsin river, the west end thereof to abut on lot four (4) section four (4), township thirteen (13) north of range six (6), east, in the town of Delton, county of Sauk, Wisconsin and the east end thereof to abut on the lots or reserves numbered one and two, railroad addition to Kilbourn

city, Columbia county, Wisconsin, of the height of fifteen feet with the privileges of using two feet of flush boards in times of low head of water to improve the navigation of the Wisconsin river above said dam and they and their and each of their heirs, executors, administrators and assigns are hereby authorized to use such hydraulic power for any lawful public purpose. Such dam shall be constructed with suitable fishways therein, so as to admit of the free passage of fish.

Statutes applicable to erection of. SECTION 2. In case it shall be necessary to take, flow or injure any lands and property, or either thereof, for the purpose or purposes of the construction or use of the dam hereby authorized, or for the purposes of such improvement, under this act or any law heretofore passed, and in behalf thereof, the said William Gunther, A. D. Johnson and A. B. Whitman, their and each of their heirs, executors, administrators or assigns, shall be subject to all of the provisions, remedies and liabilities in that behalf, and entitled to all the benefits, privileges, remedies and provisions of chapter 146 of the statutes of 1898, entitled "of mills and mill dams," as applicable and not inconsistent with this act, but nothing contained in this section shall be taken or deemed to preclude said grantees, their and each of their heirs, executors, administrators or assigns from acquiring title to, or the right to use any and all such lands and property, or of either thereof, or any part thereof, or of either thereof, by purchase, lease, license, or any usual method or means of acquisition of title by act of parties.

Powers to acquire lands and flowage rights. SECTION 3. Also for the purpose of acquiring the necessary lands or rights, easements or privileges in lands necessary for flowage, so that the complete construction of said dam and improvement under this act, or any law heretofore passed, may be successfully carried out, said parties, their and each of their heirs, executors, administrators and assigns, may enjoy the rights granted to and conferred upon corporations by sections 1777, to 1777c, both inclusive, of the statutes of 1898, and such amendment thereto as may have been or may be made, and also may enjoy the rights granted to and conferred upon corporations by sections 1850 to 1857, both inclusive, of the statutes of 1898, and such amendment as may have been or may be made thereto.

Corporate powers not granted. SECTION 4. No corporate powers are granted or intended to be granted by this act, and the same shall not be construed or deemed to grant such powers.

Right to alter or amend reserved. SECTION 5. The power to alter, amend or repeal this act is hereby reserved.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved May 15, 1901.

No. 116, S.] [Published May 24, 1901.

CHAPTER 463.

AN ACT to prevent sales of merchandise in fraud of creditors, and to add a new section to the statutes of 1898, to be known as section 2317b.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Sale of stock without notice to creditor deemed fraudulent. SECTION 1. A new section is hereby added to the statutes of 1898, to be known as section 2317b, and to read as follows: Section 2317b. The sale of any portion of a stock of merchandise otherwise than in the ordinary course of trade, in the regular and usual prosecution of the seller's business, or the sale of an entire stock of merchandise in bulk, shall be presumed to be fraudulent and void as against the creditors of the seller unless the seller and purchaser at least five days before the sale, notify or cause to be notified, personally or by registered mail, each of the seller's creditors whom the purchaser has knowledge of, or can, with the exercise of reasonable diligence, acquire knowledge, of said proposed sale. Except as expressly provided, nothing herein contained shall affect or change present rules of evidence or presumptions of law.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 15, 1901.

No. 25, S.] [Publised May 20, 1901.

CHAPTER 464.

AN ACT to appropriate a sum of money to Thos. P. Nelson for material furnished and labor performed by him as sub-contractor in the construction of the additions and improvements to "ladies' hall."

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Purpose of appropriation. SECTION 1. There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated the sum of four hundred eighty-four dollars and sixty-seven cents, to be paid to Thos. P. Nelson to reimburse him for paint and other material used and labor performed as sub-contractor under Thos. R. Bentley in the remodeling of ladies' hall in the city of Madison, Wisconsin, during the year 1896, under the contract between Thos. R. Bentley and the board of university regents, said payment when made to be in full compensation for the labor performed and material furnished by said party as aforesaid.

SECTION 2. This act shall take effect and be in force on and after its passage and publication.

Approved May 14, 1901.

No. 463, A.] [Published May 24, 1901.

CHAPTER 465.

AN ACT to amend section 1863a of the statutes of 1898, as amended by chapter 306 of the laws of Wisconsin for the year 1899, relating to the condemnation of land.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Proceedings for condemnation by street railways; as to crossings. SECTION 1. Section 1863a of the statutes of 1898, as amended by chapter 306 of the laws of Wisconsin for the year 1899, is hereby amended so as to read as follows: Section 1863a. Any street or electric railway corporation, may acquire by purchase, grant or condemnation, or hold or use such real estate or other property as may be necessary for the construction, maintenance and operation of its railroad, and of the stations, depot grounds and other accommodations reasonably necessary to accomplish the objects of its incorporation. All the provisions of sub-division 6 of section 1828 of these statutes, relative to railroad crossings, shall apply to street and electric railways. The commissioners therein named shall have power to determine the place at, and manner in which grade or other crossings shall be made, and on an appeal from the determination and award of such commissioners to the circuit court as provided by this chapter, in condemnation proceedings such court shall have power to review, reverse, modify or affirm such award, both as to the amount of compensation therein provided, and as to the manner of making such crossing, and may make such reasonable provisions as it shall deem necessary for public safety; provided the provisions of section 1808, of the statutes of 1898, shall not apply to trains operated by steam at crossings of such electric railways; and provided further that the appeal herein authorized, shall not prevent the construction of such crossing in the manner determined by the commissioners, and the use of the same by the petitioner upon the filing of such determination and award, with the clerk of the circuit court and the payment of the amount of compensation awarded to the railroad company, or to the clerk of the court for its benefit; but the circuit court may in its discretion

require the petitioning company, to maintain a flagman or other safeguard at such crossing pending the determination of such appeal. All the provisions of these statutes relating to the exercise of eminent domain by railroad companies, shall apply to street and electric railroad corporations, provided, that nothing herein shall apply to any park or boulevard in any city or village nor to any street, alley or viaduct therein, unless the use of such street, alley or viaduct shall first be granted to such street or electric railway company by a franchise duly passed by the board of trustees or common council of such village or city; and provided further that nothing herein shall apply to the right of the public or the title of any city or village, in and to any street, alley or viaduct within its limits.

Conflicting laws repealed. SECTION 2. All acts and parts of acts in conflict with this act, are hereby repealed.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 14, 1901.

No. 7, S.] [Published May 24, 1901.

CHAPTER 466.

AN ACT to amend sections 1421c, 1421d, 1421e, 1421g, 1421h, and 1421j, of the statutes of 1898 relating to the inspection of illuminating oils and petroleum products in the state of Wisconsin.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Duties of supervisor; deputies; stamps and brands; use of. SECTION 1. Section 1421c of the statutes of 1898 is hereby amended so as to read as follows: Section 1421c. It shall be the duty of said supervisor to devote his entire time to the duties of said office and under the direction of the governor to oversee all deputy inspectors of illuminating oils, instruct them in the performance of their duties, see that they faithfully perform the duties of their office, keep a record of their reports

to him, and to make a report to the governor on the first day of October in each year. He shall make rules and regulations for their guidance not inconsistent with the provisions of this chapter. The said supervisor may with the advice and consent of the governor appoint a sufficient number of deputy inspectors to properly inspect all oils sold in this state for illuminating or heating purposes. The inspection districts shall be defined by the supervisor, with the approval of the governor, and all oils shall be inspected in the inspection district where sold for consumption; provided that said supervisor may, in case said oil is sold for consumption at a point removed from the railroad, permit said oil to be inspected outside of said district if in his judgment it is impracticable to have such oil inspected in said district. The state treasurer shall prepare suitable stamps, seals, marks or brands or any combination of the same or any thereof, to be securely fastened upon all packages or enclosures inspected containing oil. Said stamps, seals, marks or brands or a combination of the same or any thereof shall be of the design designated by said treasurer and so arranged as to be used only once, and to be numbered consecutively, and to indicate the number of district to which issued. All districts shall be numbered by the state treasurer. The state treasurer shall make such rules and regulations for issuing, affixing and cancelling said stamps, seals, marks and brands as may be necessary to prevent their being used more than once and to compel the deputy inspectors to inspect all oils used in this state for illuminating or heating purposes, and to make prompt monthly remittances of all fees collected and complete reports of all doings as said deputies.

Bond, duties and salary of deputies; salary of supervisor; disposition of fees. SECTION 2. Section 1421d, of the statutes of 1898 is hereby amended so as to read as follows: Section 1421d. Every deputy inspector shall before entering upon his duties take an oath faithfully to discharge the same and execute a bond to the state in a sum not exceeding five thousand dollars nor less than five hundred dollars as may be fixed in each case by the said supervisor with the approval of the governor conditioned as aforesaid; such bond to be filed in the office of the state treasurer and a certified copy thereof in the office of the clerk of the county wherein the deputy inspector executing the same shall reside. All bonds executed under the provisions of this chapter shall be for the benefit of the state and of any person aggrieved by any act or neglect of the supervisor or his deputy respectively executing the same. The

sureties on the bond of each deputy shall be approved by the county judge of the county in which the deputy executing the same shall reside and the bond of the supervisor and of each deputy shall be approved by the governor. Every deputy inspector shall examine and test all oils offered for sale or used for illuminating or heating purposes by any person in the district assigned to him and not having been previously tested and stamped, sealed or branded by a deputy inspector of this state. He shall on the first day of each month make in writing to the state supervisor and the state treasurer a full statement of the number of barrels of oil inspected, for whom inspected, the date and place of such inspection, the numbers of the stamp or stamps, seal or seals, mark or marks, brand or brands, or any combination thereof used, and an account of the actual receipts of his office, and at the same time remit to the state treasurer all fees received for oil inspected by him during the preceding month, which fees shall be set aside by the state treasurer and constitute a separate fund for the payment of the salaries and expenses of the supervisor and his deputies. Said supervisor shall receive an annual salary of fifteen hundred dollars and each deputy inspector a salary of not to exceed one hundred dollars per month, said salaries to be fixed by the governor, but in no case shall the salary of a deputy inspector and his actual and necessary traveling expenses in the discharge of his official duty exceed together with his said salary the sum total of eight cents per barrel for the number of barrels of oil inspected during the month within his inspection district. The supervisor and his deputies shall have their actual and necessary expenses paid out of said special fund upon being approved by the governor and audited by the secretary of state, subject to the provisions of this act. Every deputy shall comply with all instructions issued by the supervisor and the state treasurer and furnish to the supervisor full information regarding any accident or explosion that may come to his knowledge from the use of illuminating or heating oils. The deputy inspectors shall be liable to all the penalties provided for in this chapter for any neglect, wilful misconduct or misfeasance in the discharge of their duties. The governor may at any time remove said supervisor or any deputy upon reasonable notice.

What oils to be inspected; sale of uninspected; adulterations; false branding; cancellation of seals, etc. SECTION 3. Section 1421e of the statutes of 1898 is hereby amended to read as follows: Section 1421e. All mineral or petroleum oil or any

oil or fluid substance which is the product of petroleum, or into which any product of petroleum enters or is found as a constituent element, whether manufactured within this state or not, shall be inspected as provided in this chapter before being offered for sale or sold for consumption or used for illuminating or heating purposes within this state; provided, that the gas or vapor from said oils may be used for illuminating purposes without inspection when the oils from which gas or vapor is generated are contained in closed reservoirs outside the building lighted by said gas, and that nothing in this chapter shall be construed to prevent the use in street or other open-air lamps or in stores, for heating purposes; of the lighter products of petroleum, such as gasoline, benzole or naphtha. Any person who shall, personally or by clerk or agent, sell or offer for sale or for use, or who shall, in any manner dispose of or attempt to dispose of any oil for illuminating or heating purposes which shall not have been examined or tested under the provisions of this chapter, or which, having been so tested, shall have been marked as rejected, or who shall knowingly use or furnish for use for illuminating purposes any oil which shall not have been properly examined or tested, and stamped, sealed or marked as herein provided, shall be liable to a fine of not less than five dollars nor more than five hundred dollars, and any person so offending against the provisions of this chapter shall be responsible in damages to the party injured, in the event of injury arising or growing out of the use of any oil so offered or provided for sale or use. Any person who shall wilfully adulterate any illuminating or heating oil by adding thereto benzine, naphtha or paraffine oil or any substance or thing whatever shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars or by imprisonment in the county jail for not more than six months. Any person who shall falsely stamp, seal, brand or mark any cask, barrel or other package of oil, or who shall personally or by agent or servant, cause the changing, altering or defacing in any manner any stamp, seal, brand or device affixed to any cask or barrel or other package of oil by any deputy inspector, or who shall refill or use any cask, barrel or other package having a deputy inspector's seal, mark, stamp or brand thereon without cancelling or defacing said seal, mark, stamp or brand and having the oil in such a cask, barrel or other package properly examined or tested and stamped or marked under the provisions of this chapter, or who shall offer for sale or shall sell any such oil, representing it to be in any respect other and different in quality or kind

than as represented to the person so purchasing the same, or without providing and exhibiting in a conspicuous place where such oil is sold, a sign or placard, announcing and plainly proclaiming to all intending purchasers the tests, both as to explosive and illuminating quality, provided for in this act, shall be liable to a fine of not less than five dollars nor more than five hundred dollars, or to imprisonment in the county jail for not more than six months, or to both such fine and imprisonment; and any person who shall sell or in any way dispose of any empty cask, barrel or other package bearing a deputy inspector's seal, brand or stamp without first thoroughly canceling, defacing or removing such seal, brand, stamp, mark or any combination thereof, shall be liable to a fine of not less than five dollars nor more than five hundred dollars or to imprisonment in the county jail not exceeding six months or to both such fine and imprisonment.

Supplies and apparatus; certificate of inspection; grades. SECTION 4. Section 1421g of the statutes of 1898 is hereby amended to read as follows: Section 1421g. It shall be the duty of the superintendent of public property to provide said supervisor and every deputy inspector all the necessary instruments and apparatus for examining and testing illuminating oils, together with the necessary stamps, seals, marks, brands, blank reports and record books required by the provisions of this act, which said instruments, apparatus, stamps, seals, marks, brands, blank reports, and record books shall, in case of the special fund provided for in section 1421d, be insufficient therefor, be paid for out of the general fund, said general fund to be reimbursed from said special fund as soon as said special fund shall contain sufficient funds therefor, and each deputy inspector shall use such instruments and apparatus in performing his duties and shall promptly examine and test, when called upon, any oil offered as to the temperature at which it will emit a combustible vapor and burn freely and also as to the illuminating qualities of said oil and if upon examination or test any such oil shall be found to meet the requirements of this chapter he shall affix to the package, cask or barrel containing the same a brand, stamp, seal or mark or any required combination of the same, containing the word "approved," with the name of the district and day of testing over his official signature upon such package, cask or barrel and issue to the person for whom inspected a certificate of inspection and approval, reciting the number of barrels, or in case of tank car, the name of the tank car line with the number of said car, with the number of bar-

rels contained, the commercial name of the oil, with the test found both as to explosive quality and as to illuminating power and date of inspection, and any person may sell the same as an illuminating or heating oil. But if the oil so tested shall not meet the requirements specified in this chapter, he shall mark in plain letters, by stencil, brand, stamp or seal as required, the words "rejected for illuminating purposes," with the date of testing, name of the district and his official signature, and issue a certificate to that effect; and it shall be unlawful for any person to sell such oil for illuminating or heating purposes. Said brand and stamp for the approval of oils shall further contain such numerals indicating the degree such oils test, together with the illuminating qualities of said oils, said illuminating qualities to be designated "excellent," "good," "fair," or "poor," as the same may be found upon being tested under the tests prescribed by the commission provided for by section seven of this act, and if any person shall sell or offer for sale any such rejected oils he shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars or by imprisonment in the county jail not more than six months, or by both fine and imprisonment.

Powers to enter premises. SECTION 5. Section 1421h of the statutes of 1898 is hereby amended to read as follows: Section 1421h. It shall be lawful for the supervisor or any deputy inspector to enter into or upon the premises of any manufacturer, refiner or vendor of such illuminating oils, and if he shall find or discover upon said premises any oil which shall not have been examined or tested and properly marked, stamped, sealed or branded he shall at once proceed to test and thereafter properly mark, stamp, seal or brand the same.

Fees; testing of tank cars; "barrel," what is. SECTION 6. Section 1421j of the statutes of 1898 is hereby amended to read as follows: Section 1421j. Every deputy inspector shall demand and receive from the owner or other person for whom or at whose request he shall examine or test any oil or sample, ten cents for every single cask, barrel or package or sample he shall test, and the said fee shall constitute a lien on the oil so inspected. Each deputy may inspect and test illuminating or heating oil in a tank or railroad tank car, so called, when standing upon a railroad track, and such oil shall not be transferred into warehouses or storage tanks or otherwise unloaded until so inspected; provided, if any such oils are not inspected within twenty-four hours after arriving at their destination

they may be unloaded and the deputy inspector shall make his inspection after they are so unloaded, and when such oil has been inspected no other inspection shall be necessary, but the deputy shall when such oil is put in stationary tanks, barrels, mark, stamp, seal or brand them without charge. When the amount contained in any such tank or tank car shall exceed fifty gallons, each fifty gallons shall constitute a barrel within the meaning of this chapter, and the fees for inspecting the same and marking, stamping, sealing or branding the barrels shall for each fifty gallons be the same as prescribed for each barrel, cask or package. The term cask, barrel, package or sample of oil as used herein means a quantity not exceeding that contained in an ordinary commercial barrel, estimated at fifty gallons.

Commission to determine upon test. SECTION 7. The governor may appoint three competent, disinterested persons, a commission to serve without compensation, to decide upon some practical test or tests by which to determine the illuminating qualities of oils as provided in section 1421g of the statutes of 1898 as amended by section four of this act, and prescribe rules and regulations for applying said test or tests and determining the result thereof, and all deputy inspectors of oils, shall in testing oils for illuminating purposes use the tests prescribed by such commission in accordance with the rules and regulations by said commission prescribed.

Reversion to general fund. SECTION 8. All moneys remaining in the state treasury in the special fund provided for in section 1421d shall at the end of each fiscal year be covered into the general fund.

Sale of gasoline. SECTION 9. Every person dealing at retail in gasoline in this state shall after the first day of June, 1901, deliver the same to the purchaser only in barrels, casks, packages or cans painted vermillion red and having the word "Gasoline" plainly stenciled thereon. No such dealer shall deliver kerosene in a barrel, cask, package or can painted or stenciled as above. Every person purchasing gasoline for use shall procure and keep the same only in barrels, casks, packages or cans painted and stenciled as above. No person keeping for use, or using, kerosene shall put or keep the same in any barrel, cask, package or can painted or stenciled as above. Any person violating any of the provisions of this section shall be punished by fine of not less than five, nor more than fifty dollars, or by

imprisonment in the county jail not to exceed three months or by both such fine and imprisonment.

Conflicting laws repealed. SECTION 10. All acts or parts of acts in conflict with this act are hereby repealed.

SECTION 11. This act shall take effect and be in force from and after the first day of June, 1901.

Approved May 15, 1901.

No. 320, S.] [Published May 24, 1901.

CHAPTER 467.

AN ACT to authorize the appointment of an assistant deputy bank examiner, and fixing his salary.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Appointment and powers of deputy. SECTION 1. The bank examiner is hereby empowered, by and with the consent of the state treasurer and approval of the governor, to appoint a competent person who shall be known as the assistant deputy bank examiner, in addition to the force already employed in his office, who shall have the power under like conditions and restrictions which are required of the bank examiner, to make examinations of any of the institutions under his supervision. Said person shall receive for his services the sum of eighteen hundred dollars per annum, payable monthly, and all actual and necessary traveling expenses incurred in the performance of the duties of his office.

Appropriation. SECTION 2. There is hereby appropriated out of any funds in the general fund not otherwise appropriated, a sum sufficient to carry out the provisions of this act.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved May 15, 1901.

No 129, S.] [Published May 24, 1901.

CHAPTER 468.

AN ACT appropriating a certain sum of money for the relief of innocent purchasers and holders of orders issued by county judges under an invalid law, known as chapter 203 of the laws of 1895.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Purpose of appropriation. SECTION 1. There is hereby appropriated, out of any moneys in the state treasury not otherwise appropriated, thirty thousand dollars for the purpose of paying all innocent purchasers of county orders issued under an invalid law known as chapter 203 of the laws of 1895 by different county judges of the state of Wisconsin which are yet unpaid and which were purchased prior to the date of the decision of the supreme court of the state of Wisconsin holding said act chapter 203 of the laws of 1895 unconstitutional.

Auditing committee. SECTION 2. The secretary of state, state treasurer and attorney general are hereby appointed an auditing committee for the purpose of auditing all claims filed under this act.

Filing of claims; auditing of. SECTION 3. All persons claiming to be innocent purchasers of such county orders issued under said invalid act, and which are yet unpaid, are required to file said orders with the secretary of state within sixty days after the passage and publication of this act, and when so filed the said auditing committee shall require such innocent purchasers of said orders duly filed under this act to prove to the satisfaction of said auditing committee the amount of actual cash, or its equivalent, paid by such innocent purchaser for said order and the manner or circumstances under which said orders were purchased by said innocent purchasers. And when the said auditing committee are satisfied that said orders are held by innocent purchasers, they, the said committee, shall audit the same according to the amount proven to be actually paid by said innocent purchaser for said order.

Payment of claims; no interest allowed. SECTION 4. When said orders or claims have been audited by said committee, the

state treasurer is hereby directed to pay the same, upon warrants issued in the manner provided by law, out of the money herein appropriated for such purpose. Provided, however, the amount herein appropriated is not sufficient to pay all of said orders filed with the secretary of state, and audited by this committee within sixty days after the passage and publication of this act, then said auditing committee shall direct the same to be paid by said treasurer pro rata; and no claim audited under this act shall be paid until after all of the orders filed under this act shall have been audited by said committee. Provided, that no interest shall be allowed on any of said orders, and no claims shall be audited for more than the face value thereof.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved May 13, 1901.

No. 66, A.] [Published May 24, 1901.

CHAPTER 469.

AN ACT to detach certain territory from the county of Chippewa and to create the county of Gates.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Territory of Gates county defined. SECTION 1. All that territory and portion of the county of Chippewa in the state of Wisconsin included within the following boundaries to-wit: Commencing at the southeast corner of township number thirty-three north, of range five west, in said county of Chippewa and running thence north on the range line between ranges numbered four and five, to the northeast corner of said township numbered thirty-three, thence running east on the town line between towns numbered thirty-three and thirty-four to the southeast corner of township numbered thirty-four north, of range numbered three west, thence running north on the range line between ranges numbered two and three west, to the northeast corner of township numbered thirty-six north, of range numbered three west, thence running west on the town line between townships numbered thirty-six and thirty-seven, to the northwest

corner of township numbered thirty-six north, of range numbered nine west, thence south on the range line between ranges numbered nine and ten west, to the southwest corner of township numbered thirty-three north, of range numbered nine west, thence running east on the town line between townships numbered thirty-two and thirty-three north, to the place of beginning, is hereby detached from the county of Chippewa and shall hereafter constitute the county of Gates under the provisions hereinafter contained.

County seat; terms of circuit court. SECTION 2. The county of Gates with the boundaries prescribed in the foregoing section, is hereby created with all the rights and privileges by law granted to and conferred upon other counties in the state of Wisconsin. The county seat of said county of Gates, until otherwise determined according to law, is hereby located at and the same shall be the village of Ladysmith as situated in townships numbered thirty-four and thirty-five north, of range numbered six west. Said county of Gates is hereby attached to and made a part of the fifteenth judicial circuit. There shall be held in said county of Gates, two terms of circuit court each year, and until otherwise provided by law, said terms of court shall be held at such times as the circuit judge thereof shall designate. Said circuit judge shall, within sixty days after the passage and publication of this act, give public notice of the times of holding such terms of court, by causing notice thereof to be published in some newspaper published in said county of Gates, for at least six weeks prior to the three weeks immediately preceding the time of holding the first term of said circuit court.

Appointment of county officers. SECTION 3. Within thirty days after this act shall take effect, the governor of this state shall appoint in and for said county of Gates the following officers, to-wit: County judge, district attorney, clerk of the circuit court, county clerk, sheriff, register of deeds, county treasurer, county surveyor, county superintendent of schools, and a coroner. Within twenty days after due notice of his appointment, each such officer, respectively shall qualify according to law and enter upon the duties of his office and hold the same until the first Monday of January next succeeding the general election thereafter and until his successor is elected and qualified, except that the county judge so appointed shall hold his office until the first Monday of January, A. D., 1906.

Compensation of county officers, how fixed. SECTION 4. It shall be the duty of the county board of supervisors of the county of Gates, within twenty days after the appointment of said officers of such county aforesaid, to meet and fix the respective salaries and the amount of bonds required to be given by each of said county officers, except in cases where the amount of such bond is fixed by law.

Towns of Gates county. SECTION 5. The county of Gates shall, until otherwise ordered by the board of supervisors of said county, consist of seven towns to be known respectively as the towns of Atlanta, Big Bend, Dewey, Flambeau, Lawrence, Rusk and Strickland. The town of Flambeau shall retain the territory now included in said town, and also all that portion of township numbered thirty-three north, of range numbered seven west, lying south of the Chippewa river which said portion of said township is hereby added to said town of Flambeau. The towns of Atlanta, Big Bend, Dewey Lawrence, Rusk and Strickland shall retain and be composed of the territory now included in said towns respectively.

Perfecting organization of county; duty of county board. SECTION 6. The board of supervisors of said county of Gates shall, within twenty days after the passage and publication of this act, meet and transact all business necessary to perfect and complete the organization of the county and shall determine upon and make suitable provisions for holding the circuit court at such times as may be appointed therefor by the circuit judge of the fifteenth judicial circuit.

Transcript of records affecting real estate. SECTION 7. The board of supervisors of the said county of Gates, shall procure or cause to be procured at the expense of said county of Gates, duly certified transcripts of such records as may relate in any manner to or affect real estate or any other property or business proceeding appertaining to said county of Gates. The amount paid for such duly certified transcripts shall not exceed the amount per folio as allowed by law for similar work, and for each certificate attached thereto, the sum of fifteen cents and no more shall be allowed. Such duly certified transcripts shall be admissible as evidence in all courts of this state and shall be prima facie evidence of the matters therein contained.

Lands sold for taxes; redemption of; issue of tax deeds, effect of. SECTION 8. All lands and real estate lying and being situated in the said county of Gates as hereby created and established,

heretofore sold for taxes or which may be sold for taxes shall be subject to redemption and those remaining unredeemed may be advertised and conveyed by the county of Gates, and the deeds issued upon such lands by the county of Gates, by or through its officers, shall be as effectual as other tax deeds and the county clerk of the county of Gates is hereby authorized and empowered and it is hereby made his duty to execute and deliver to the persons entitled thereto under and by virtue of the laws of the state of Wisconsin, tax deeds upon all lands unredeemed from any tax sale prior to the year A. D. 1902 made by the county of Chippewa and embraced within the territorial limit of said county of Gates, by which tax sale certificates have been heretofore issued by said county of Chippewa or which may be hereafter issued on sales of land returned, delivered and sold previous to the passage, publication and taking effect of this act. The county clerk of the county of Gates is hereby authorized and it is hereby made his duty to vary the phraseology of such tax deeds from the form prescribed by the statute of the state of Wisconsin so as to make the recital of the said tax deeds conform to the facts in regard to the sale of lands and the issuing of certificates of sale therefor, and in all matters of recital and description necessary, vary and change the same so as to conform to the facts in each case and no tax deed issued by the county clerk of the county of Gates, under the provisions of this act, shall be adjudged void on account of the form thereof, provided that such deeds are in the form provided by law and modified as authorized by this act, and all such deeds shall be as valid and effectual to pass the title of the lands described therein to the grantee named in such tax deeds, as if said lands had remained in and such tax deeds had been executed by the county clerk of the county of Chippewa, in which such lands were situated at the time of the tax sale thereof.

Basis of settlement with Chippewa county; committee for; as to school districts. SECTION 9. The basis of settlement in the division of property belonging to and the apportionment of the indebtedness of said counties of Chippewa and Gates, shall be as follows: Each county shall become the sole and exclusive owner of all county property lying, being and situated within its boundaries as defined by section number 1 of this act. The county clerk of the county of Chippewa shall upon demand by the county clerk of the county of Gates, quit-claim by a sufficient deed of conveyance, all county lands owned by the said county of Chippewa lying, being or situated in the county of Gates and the county treasurer of the county of Chippewa shall

upon demand made by the county treasurer of the county of Gates, assign to the said county of Gates all tax certificates in his office upon lands situated in said county of Gates and the apportionment of assets and indebtedness existing against the said county of Chippewa shall be ascertained by dividing the total assets and liabilities, by the ratio which the aggregate equalized valuation by the board of supervisors of the said county of Chippewa of all the real and personal property therein for the year A. D. 1900 bears to the equalized value by the same board of supervisors, of the property situated within the boundaries of the said county of Gates. The county board of supervisors of the county of Gates shall within ninety days after the passage, publication and going into effect of this act, select a competent person to act with another competent person to be selected within the same time by the county board of supervisors of the county of Chippewa, and the two persons thus selected shall select a third competent person to act with them, and the three persons so selected shall collectively constitute a committee to make a settlement between the two counties of Chippewa and Gates on the basis hereinbefore provided in this section. The committee thus selected shall immediately enter upon its duties as soon as constituted, as above provided and shall make a complete settlement between said counties of Chippewa and Gates. If however, the two persons selected by the respective county boards of supervisors cannot agree upon a competent third person, as above provided, then the judge of the eleventh judicial circuit shall make the selection of the third person to act on, and as a member of said committee. A reasonable compensation shall be paid to the members of said committee for their services, and expenses respectively, each county to pay one-half of the expenses and compensation of the third person selected, and the settlement between all towns and school districts the boundaries of which have been changed by the passage of this act, shall be effected as herein provided between the counties, except that the town boards of supervisors of the towns affected shall make the settlements, and all adjustments for their respective towns. School district boards of the school districts affected shall make a like settlement provided, that no school district, the school building of which shall be situated in the territory remaining in the county of Chippewa, shall be required or compelled to re-imburse any territory set off into the county of Gates, for the value of its school buildings, school sites or school apparatus.

Valuation of lands; tax certificates; bridges. SECTION 10. The committee on settlement provided for by section number 9

of this act, shall, in arriving at the assets and liabilities of the county of Chippewa, value all unimproved county lands at the present appraised value of said county lands and all unredeemed tax certificates at their face value, and all county lands deeded or conveyed and all unredeemed tax certificates assigned and delivered to the county of Gates, shall be credited to the county of Chippewa and charged to the county of Gates at the same, to-wit, their face value. All other county property shall be valued at a true, just and fair value with age considered but at not to exceed the cost price thereof. All bridges their abutments and approaches and all county fair ground buildings shall be exempted and shall not be considered in the making of said settlement.

Congressional and legislative districts. SECTION 11. The said county of Gates shall be, and shall constitute a part of the twenty-fourth senatorial district, and shall also be attached to, and shall form a part of the second assembly district of Chippewa county and shall also be attached to, and form a part of the eleventh congressional district, until the same shall be otherwise apportioned according to law.

SECTION 12. This act shall take effect and be in force, from and after its passage and publication.

Approved May 15, 1901.

No. 214, A.] [Published May 24, 1901.

CHAPTER 470.

AN ACT relating to the cutting and shipment of ice from meandered lakes within the state of Wisconsin.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

License for cutting ice, for shipment out of state required. SECTION 1. No person, company, domestic or foreign corporation shall hereafter cut ice for shipment without the state, from any meandered lake within the state of Wisconsin unless such person, company or corporation first obtains annually, on or before the first Monday of September of each year, a license so to

do from the secretary of state of Wisconsin as hereinafter provided, and before obtaining such license every such foreign corporation shall appoint and file with the secretary of state the name of a resident agent or attorney residing in this state upon whom legal service can be made. Every such license shall authorize the cutting of ice for shipment out of the state for the term of one year from its date.

Filing of bond. SECTION 2. Before any such license shall be granted, authorizing any person, company or corporation to cut ice from any meandered lake or lakes therein, for shipment out of the state, such person, company or corporation shall file with the secretary of state a bond in the sum of not less than ten thousand dollars with sufficient surety, to be approved by the secretary of state conditioned that they or it will comply with all of the conditions of this act.

Statement of tons cut and shipped; fee per ton. SECTION 3. Any such person, company or corporation who shall ship ice out of the state of Wisconsin, which shall have been cut from any meandered lake therein, after the passage of this act shall file with the secretary of state on or before the first Monday of November in each year a true, verified statement as to the amount of ice in tons by him or it actually cut and shipped out of said state during the year last preceding and shall pay in to the state treasury on or before the first day of December in each year a sum equal to ten cents for each ton of ice so cut and shipped out of said state.

Penalty for false statement. SECTION 4. Any person who shall make any false statement as to the number of tons actually shipped out of the state of Wisconsin in the statement so required to be filed, shall be deemed guilty of perjury and subject to the penalty provided therefor by law.

Action to compel payment, who may bring. SECTION 5. The attorney general of the state of Wisconsin or any citizen thereof on the relation of the state may maintain an action in any circuit court within the state of Wisconsin to compel the payment by any such person, company or corporation of any sum due to the state on account of ice cut as aforesaid and shipped out of the state at any time after the same shall be due and payable as herein provided.

Disposition of license fees, SECTION 6. The moneys received by the state by reason of the provisions of this act shall be held and disbursed by the state treasurer for the benefit of the common school fund.

Additional penalty. SECTION 7. Any person, whether such person act independently or as the agent or employe of any company or corporation, who shall cut ice from any meandered lake in this state and ship the same out of this state without first complying with the conditions hereof, in addition to the penalties hereinbefore contained shall be considered guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars or imprisonment of not less than thirty days or more than one year or by both fine and imprisonment at the discretion of the court.

Forfeiture for failure to pay license fee. SECTION 8. Any such person or corporation failing to file the verified statement hereinbefore mentioned or failing to pay for ice cut as aforesaid, the rate per ton provided herein, within the time limited therefor shall forfeit the sum of five thousand dollars for each such offense and an action to recover said sum shall be brought by the attorney general in behalf of the state upon the bond filed by such person or corporation against the principal and sureties therein who shall be liable therefor to recover said amount.

Intent of act. SECTION 9. The intent and purpose of this act is to exact in the manner herein provided as compensation for the same, ten cents a ton for all ice cut from or upon any meandered lake therein and actually shipped out of the state. The ice upon the meandered lakes in said state is hereby declared to be the property thereof.

SECTION 10. This act shall take effect and be in force, from and after its passage and publication.

Approved May 15, 1901.

MEMORIALS AND JOINT RESOLUTIONS.

[No. 2, S.]

MEMORIAL NO. 1.

Memorial to the Senate of the United States in regard to the manufacture and sale of counterfeits of butter and requesting the passage of the Grout bill, H. R. No. 3717.

The memorial of the legislature of the state of Wisconsin to the senate of the United States respectfully represents:

That the laws of this state prohibit the manufacture and sale of oleomargarine colored in imitation of butter;

That these laws are based upon sound principles of public policy in that they protect consumers of a great staple food product from the imposition of a counterfeit;

That they aim to give proper protection to the producers of dairy products by destroying fraudulent competition;

That they do not interfere with the business of making and selling oleomargarine under its own form and color;

That these laws are disregarded and defied by the representatives of oleomargarine interests so far as possible, and conspiracies entered into between manufacturers in another state and retailers in this state whereby the domestic dealer is induced to violate the law by the promise or written contract of the outside jobber or manufacture that he will pay all costs that may be incurred as a penalty for such violation;

That because the manufacture of colored oleomargarine is legal in some states and the prohibitory law not enforced in others, there is constantly being forced in over the boundaries of Wisconsin unlawful imitations of butter in considerable quantities;

That this unlawful traffic is carried on, not only in the markets of this state, but in other states where the sale of colored oleomargarine is unlawful, and the Wisconsin dairyman is de-

priveo of a considerable proportion of outside markets by a competition which is both fraudulent and illegal.

The conditions herein described, in our judgment, warrant congressional action. We approve the provisions of the measure now pending in the senate, known as the Grout bill No. 3717 H. R., and most earnestly request that it be made a law.

RESOLVED, that the governor be and is hereby requested to transmit a copy of this memorial to the president of the senate and to each of the senators from the state of Wisconsin.

[No. 3, S.]

MEMORIAL NO. 2.

For the repeal of that part of the War Revenue Act passed by Congress on June thirteenth, 1898, which levies a tax on legacies and distributive shares of personal property.

The memorial of the Legislative of Wisconsin to the Congress of the United States respectively shows that in the opinion of the Legislature the imposition of inheritance or succession taxes belongs, except in certain exigencies, to the domain of state taxation; that the emergency of war which may have justified the feature of the national war revenue act of June thirteenth, 1898, levying a tax on legacies and distributive shares of personal property has now passed away; that many of the states have already adopted, and many more will soon adopt, such inheritance tax laws, and if such feature of the national act remains in force, a large amount of property in the country will be subjected to double taxation, once by the federal government and again by the state: and that it is expedient and would be good governmental policy that the part of such national revenue act imposing a tax on legacies and distributive shares be repealed and this feature of taxation be left entirely to the jurisdiction and control of the states. It is the purpose of this memorial, therefore, to respectfully request of Congress the repeal of said feature of the revenue act during the present session.

RESOLVED, that the Governor be, and he is hereby requested to transmit a copy of this memorial to the President of the Senate, and to the Speaker of the House of Representatives, and to each of the Senators and Representatives from the State of Wisconsin.

[No. 4, S.]

MEMORIAL NO. 3.

Relative to the education of Indian children in the state of Wisconsin.

WHEREAS, the Indian appropriation bill now before Congress of the United States, provides for the expenditure of not to exceed one hundred and sixty-seven dollars per capita for the support and education of each Indian pupil enrolled in the Indian Industrial Schools of the United States, and

WHEREAS, this amount is the same in all sections of the United States, without regard to climatic conditions, it is plainly evident that the schools of this section are discriminated against by reason of being obliged to expend for fuel and clothing, not less than twenty-five dollars per capita in excess of the amount expended at other schools of the same class, for the same purposes, in warmer climates, and

WHEREAS, this exessive expenditure for fuel and clothing in Wisconsin schools, leaves an insufficient balance of the one hundred and sixty seven dollars to properly equip and officer the same, thus placing them on an unequal footing for the good and efficient work with the schools of the southern climates. Therefore be it

RESOLVED by the Senate, the Assembly concurring, that the legislature of Wisconsin does hereby petition and memorialize the Congress of the United States to increase the allowance for Indian education in the Indian Industrial schools of Wisconsin, from one hundred and sixty-seven dollars to one hundred and eighty dollars per capita.

JOINT RESOLUTION NO. 1.

WHEREAS since the meeting of the last legislature the Hon-
able Michael Griffin, a former member of Assembly and a Sen-
or of the Wisconsin Legislature, died at his home in Eau
laire on the twenty-ninth day of December, 1899, therefore, be

RESOLVED by the Senate, the Assembly concurring, that in the
ath of this eminent citizen Wisconsin has lost one of her
blest sons who served the state and nation in every public
ist committed to his care with unusual zeal, ability and use-
lness. His devotion to the cause of his country was patriotic
d steadfast both in time of war and peace. The fearless
ldier of Vicksburg and Atlanta and on the march to the sea be-
me in after years the able lawyer, brilliant orator, ready par-
mentarian and useful statesman whose career constitutes an
portant part in the history of the state. The manly qualities
d solid attainments of General Griffin with his genial and at-
ctive personality won for him the esteem and confidence of
e people, and it is fitting that the legislature should record its
preciation of his character and services.
RESOLVED that we tender to the bereaved family of this hon-
d citizen our most earnest expressions of sympathy with the
urance that the people of Wisconsin mourn, with them, the
s of one universally loved and respected.
RESOLVED that a copy of these resolutions, signed by the pre-
ing officers and clerks of both Houses be presented to the
low of General Griffin.

[No. 25, S.]

JOINT RESOLUTION NO. 2.

Agreeing to a proposed amendment to article XI of the con-
ution of the state of Wisconsin, giving the legislature power
pass a general banking law.
WHEREAS, at the biennial session of the legislature of the state
Wisconsin for the year 1899, a joint resolution was passed

proposing an amendment to article XI of the constitution of the state of Wisconsin, giving the legislature power to pass a general banking law, which was agreed to by a majority of the members elected to each of the two houses, and approved April twentieth, 1899, which proposed amendment was in the following language: "Resolved by the Assembly, the Senate concurring, that article XI of the constitution of the state of Wisconsin be and is hereby amended, by substituting for sections 4 and 5 thereof, a new section to be known as section 4 and reading as follows: Section 4. The legislature shall have power to enact a general banking law for the creation of banks, and for the regulation and supervision of the banking business, provided that the vote of two-thirds of all the members elected to each house, to be taken by the yeas and nays, be in favor of the passing of such law."

RESOLVED, by the Senate, the Assembly concurring, that the foregoing proposed amendment to the constitution of the state of Wisconsin be, and the same hereby is, agreed to by this legislature.

No. 24, S.

JOINT RESOLUTION NO. 3.

Agreeing to constitutional amendment.

WHEREAS, at the biennial session of the legislature for the year 1899, an amendment to the constitution was proposed and agreed to by a majority of the members elected to each of the two houses, which proposed amendment was in the following language: "Resolved by the Senate, the Assembly concurring, that section 1 of article X of the constitution of the state of Wisconsin be amended so as to read as follows: Section 1. The supervision of public instruction shall be vested in a state superintendent and such other officer as the legislature shall direct; and their qualifications, powers, duties and compensation shall be prescribed by law. The state superintendent shall be chosen by the qualified electors of the state at the same time and in the same manner as members of the supreme court, and shall hold his office for four years from the succeeding first Monday in July. The state superintendent chosen at the general election in November, 1902, shall hold and continue in his office

until the first Monday in July, 1905, and his successor shall be chosen at the time of the judicial election in April, 1905. The term of office, time and manner of electing or appointing all other officers of supervision of public instruction shall be fixed by law." Therefore,

RESOLVED by the Senate, the Assembly concurring, that the foregoing proposed amendment to the constitution be and the same is agreed to by this legislature.

[No. 27, A.]

JOINT RESOLUTION NO. 4.

Requesting the Board of Control to experiment by inaugurating small industries in State Prison and State Reformatory.

RESOLVED, by the assembly, the senate concurring; that it is the sense of the legislature that the board of control shall experiment by inaugurating small industries in the state prison and state reformatory, and by thorough investigation of systems in vogue in other states, their operation and results; reporting to the legislature some plan or plans for diversifying industries, to the end that any unjust competition due to the employment of too great a number of inmates of a prison or reformatory in any one line of manufacture, may be relieved and consequent industries remedied.

[No. 35, S.]

JOINT RESOLUTION NO. 5.

WHEREAS, the citizens of Milwaukee are extending an invitation to the National Conference of Charities and Corrections to hold its conference for 1902 in that city; and

WHEREAS, the common council of the city of Milwaukee has passed resolutions of invitation to the conference to do so; therefore be it

RESOLVED by the Senate the Assembly concurring that the legislature of Wisconsin cordially endorses the invitation, and

trusts that the conference will honor Wisconsin by voting to accept the invitation of Milwaukee to hold its next annual session in that city.

RESOLVED that a copy of these resolutions be forwarded to the Honorable Hastings H. Hart, secretary of the conference, with a request that they be read before the conference to be held at Washington, May 9–15, 1901.

[No. 39, S.]

JOINT RESOLUTION NO. 6.

WHEREAS this Senate learns with profound sorrow of the death of one of its honored members, the Honorable Thomas Fearne; and

WHEREAS his high character, kindness of heart, and marked devotion to duty, have earned our esteem and admiration; therefore, in recognition of his valuable public services; as a testimonial to his integrity and fidelity; as evidence of our affectionate regard, and as an expression of our deep sense of loss, be it

RESOLVED by the Senate, the Assembly concurring, that a committee of five from the senate and five from the assembly be appointed to attend the funeral.

RESOLVED that memorial exercises be held by the senate in the senate chamber, at eleven A. M., Wednesday, May 8th.

RESOLVED further, that copies of these resolutions be spread upon the journals of the two houses, and that an engrossed copy of the same be transmitted to the family of the deceased senator. And as a further mark of respect, be it

RESOLVED that the Senate do now adjourn.

JOINT RESOLUTION NO. 7.

WHEREAS, the achievements of our soldiers have ever been the pride and glory of our state, and

WHEREAS, the participation of one of her soldier sons in the various campaign in the Philippine war and especially in the perilous and daring expedition which resulted successfully in the rescue of Lieutenant Gilmore has given him a reputation for daring and bravery co-extensive with our country, and

WHEREAS, such acts of bravery should not go unrewarded, Wisconsin in senate and assembly assembled, that we tender to Wisconsin is senate and assembly assembled, that we tender to Captain Frank L. French, of Sparta, Wisconsin, late of the 34th United States Volunteer Infantry our appreciation of his distinguished services in the expedition which resulted in the rescue of Lieutenant Gilmore and for his other services, and our congratulations upon his safe return, and further, be it

RESOLVED, that a suitable medal be prepared under the direction of the governor of this state and by him presented to Captain Frank L. French at a suitable time and place, and further, be it

RESOLVED, that the President of the United States be and is hereby respectfully requested to make a suitable recognition of the services of Captain Frank L. French by an appointment in the regular army of the United States, and further,

RESOLVED, that our senators and representatives in congress be requested to take such action as may be necessary, further,

RESOLVED, that a copy of these resolutions be transmitted to the President of the United States and to each of our senators and representatives in congress and that an engrossed copy be prepared and presented to Captain Frank L. French.

[No. 33, A.]

JOINT RESOLUTION NO. 8.

For the submission of an amendment to section 1 of article VII of the constitution relating to the justices of the supreme court.

RESOLVED, by the assembly, the senate concurring, that section 1 of article VII of the constitution be amended so as to read as follows: Section 1. The chief justice and associate justices of the supreme court shall be severally known as the justices of said court, with the same terms of office of ten years respectively as now provided. The supreme court shall consist of seven justices, any four of whom shall be a quorum, to be elected as now provided, not more than one each year. The justice having been longest a continuous member of said court, or in case two or more such senior justices shall have served for the same length of time, then the one whose commission first expires shall be ex-officio, the chief justice.

[No. 8 A.]

JOINT RESOLUTION NO. 9.

Agreeing to a proposed amendment to article XIII of the constitution of the state of Wisconsin, to prohibit the pass system.

WHEREAS, at the biennial session of the legislature of this state for the year 1899, an amendment to the constitution of this state was proposed and agreed to by a majority of the members elected to each of the two houses, which proposed amendment was in the following language:

RESOLVED by the senate, the assembly concurring, that article 13 of the constitution be amended by adding a new section to be numbered, and to read as follows: Section 11. No person, association, co-partnership or corporation, shall promise, offer or give for any purpose to any political committee or any member or employee thereof, to any candidate for or incum-

bent of any office or position under the constitution or laws, or under any ordinance of any town or municipality, of this state, or to any person at the request or for the advantage of all or any of them, any free pass or frank, or any privilege withheld from any person, for the traveling accommodation or transportation of any person or property, or for the transmission of any message or communication. No political committee, and no member or employee thereof, no candidate for and no incumbent of any office or position under the constitution or laws, or under any ordinance of any town or municipality of this state, shall ask for, or accept, from any person, association, co-partnership, or corporation, or use, in any manner, or for any purpose, any free pass or frank, or any privilege withheld from any person, for the travelling accommodation or transportation of any person or property, or the transmission of any message or communication. Any violation of any of the above provisions shall be bribery and punished as provided by law, and if any officer or any member of the legislature be guilty thereof, his office shall become vacant. No person within the purview of this act shall be privileged from testifying in relation to anything therein prohibited; and no person having so testified shall be liable to any prosecution or punishment for any offense concerning which he was required to give his testimony or produce any documentary evidence. The railroad commissioner and his deputy in the discharge of duty are excepted from the provisions of this amendment.

RESOLVED by the assembly, the senate concurring, that the foregoing proposed amendment to the constitution of the state of Wisconsin, be and the same hereby is agreed to by this legislature.

JOINT RESOLUTION NO. 10.

WHEREAS, the achievements of our soldiers have ever been th pride and glory of our state; and

WHEREAS, the participation of one of her soldier sons in th daring and successful expedition resulting in the capture of th Tagal leader Aguinaldo has given him a world wide name as man of courage and capability, and

WHEREAS, such acts of bravery should not go unrecognized o unrewarded,

THEREFORE be it resolved by the legislature of the state o Wisconsin in Senate and Assembly assembled, that we tender t Captain Harry W. Newton, of Superior, Wisconsin, now wi the volunteer troops at Manila, our appreciation of his distin guished services in the expedition under the command of Ge eral Funston and our congratulations on his safe return there from; and further be it

RESOLVED, that a suitable medal be prepared under the direc tion of the governor of this state and by him presented to Ca tain Harry W. Newton at a suitable time and place, and fu ther be it

RESOLVED, that the President of the United States be and he hereby respectfully requested to make a suitable recognition o the services of Captain Newton by an appointment in the regu lar army of the United States; and further be it

RESOLVED, that our Senators and representatives in congres be requested to take such action as may be necessary; and fu ther be it

RESOLVED, that a copy of these resolutions be transmitted t the President of the United States and to each of our senato and representatives in congress, and that an engrossed copy o the same be prepared and presented to Captain Newton.

[No. 14 A.]

JOINT RESOLUTION NO. 11.

Proposing an amendment to section 3 of article II of the constitution of the state of Wisconsin, as amended by a vote of the people at the general election, November 3, 1874, relating to the indebtedness of municipal corporations.

RESOLVED, by the assembly, the senate concurring, that section 3 of article II of the constitution of Wisconsin be amended by inserting after the word "years" in the last line of said section as printed in the statutes of 1898, the following words: "or, if a city containing a population of more than twenty-five thousand according to the last state or federal census taken before such debt is contracted, within fifty years," so that when amended said section 3 of article II, shall read as follows: Section 3. It shall be the duty of the legislature, and they are hereby empowered, to provide for the organization of cities and incorporated villages, and to restrict their power of taxation, assessment, borrowing money, contracting debts and loaning their credit, so as to prevent abuses in assessment and taxation, and in contracting debts by such municipal corporations. No county, city, town, village, school district or other municipal corporation shall be allowed to become indebted in any manner or for any purpose to any amount, including existing indebtedness, in the aggregate exceeding five per centum on the value of the taxable property therein, to be ascertained by the last assessment for city and county taxes previous to the incurring of such indebtedness. Any county, city, town, village, school district or other municipal corporation incurring any indebtedness as aforesaid, shall, before or at the time of doing so, provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within twenty years, or, if a city containing a population of more than twenty-five thousand according to the last state or federal census taken before such debt is contracted, within fifty years, from the time of contracting the same.

[No. 28 S.]

JOINT RESOLUTION NO. 12.

Providing for an amendment of section 23, article IV of the constitution and for separate county government in certain counties.

RESOLVED by the senate, the assembly concurring, that section 23, of article IV, of the constitution of the state of Wisconsin, be amended by adding at the end thereof the following:

"Provided that in counties which contain an incorporated city of more than one hundred thousand inhabitants, the legislature may establish a separate system of county government" so that when so amended said section will read as follows: "Section 23. The legislature shall establish but one system of town and county government, which shall be as nearly uniform as practicable; provided, that in counties which contain an incorporated city of more than one hundred thousand inhabitants, the legislature may establish a separate system of county government.

CERTIFICATE.

STATE OF WISCONSIN,
Department of State.

I. WM. H. FROEHLICH, secretary of state of the state of Wisconsin, do hereby certify that the foregoing copies of laws, memorials and joint resolutions, passed by the legislature at the spring session of 1901 have been compared by me with the original enrolled acts, memorials and joint resolutions, deposited in this office, and that they appear correctly printed.

In testimony whereof, I have hereunto set my hand and affixed the lesser seal of the state, at the capitol, in the city of Madison this 8th day of July, A. D. 1901.

[L. S.]

WM. H. FROEHLICH,
Secretary of State.

THIRD CIRCUIT.

JUDGE—GEO. W. BURNELL, OSHKOSH.

Term ends first Monday of January, 1903.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Calumet.....	3d Monday in March..... 1st Monday in October.....	Chilton.....	Sec. 2424, W. S. 1898.
Green Lake...	3d Monday in January..... 2d Monday in June.....	Dartford.....	Sec. 2424, W. S. 1898.
Winnebago *..	1st Monday in May..... 1st Monday in December....	Oshkosh.....	Sec. 2424, W. S. 1898.
	SPECIAL TERMS.		
Winnebago....	1st Tuesday in February and September	Oshkosh.....	Sec. 2424, W. S. 1898.

*The court for said county shall be deemed to be opened for the transaction of business from the commencement of one regular term to the commencement of another, and an adjournment of the term from day to day shall not be necessary to the validity of any proceeding therein. *Sec. 2424, W. S. of 1898.*

FOURTH CIRCUIT.

JUDGE—MICHAEL KIRWIN, MANITOWOC.

Term ends first Monday of January, 1903.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Sheboygan....	2d Monday in April..... 3d Monday in September.....	Sheboygan...	Sec. 2424, W. S. 1898.
Manitowoc....	Tuesday after 2d Monday in Jan.. Tuesday after 1st Monday in June	Manitowoc...	Sec. 2424, W. S. 1898.
Kewaunee.....	2d Monday in May..... .... 3d Monday in October.....	Kewaunee....	Sec. 2424, W. S. 1898
Fond du Lac..	Tuesday after 3d Monday in February..... Tuesday after 1st Monday in March Tuesday after 1st Monday in July Tuesday after 2d Monday in November.....	Fond du Lac	Sec. 2424, W. S. 1898.

No jury shall be summoned for the terms appointed for February and July unless specially ordered by the judge. Such terms shall be a continuation of all terms therein which are not finally adjourned. * * * * * No term of such court shall be at an end until an express order for final adjournment is made and entered, and one term may be adjourned beyond the beginning of the next term in same county. *Sec. 2424, W. S. of 1898.*

FIFTH CIRCUIT.

JUDGE—GEORGE CLEMENTSON, LANCASTER.

Term ends first Monday of January, 1907.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
rant	3d Monday in February .... 2d Monday in October	Lancaster	Chap. 13, sec. 1, L 1901
owa	3d Monday in March ..... 4th Monday in September ..	Dodgeville.....	Chap 13, sec. 1, L. 1901
afayette	1st Monday in June ..... 1st Monday in December...	Darlington.....	Chap. 13, sec. 1, L. 1901
ichland	2d Tuesday in April ..... 2d Tuesday in September ...	Richland Center.	Chap. 13, sec. 1, L. 1901
rawford	2d Tuesday before the 1st Monday in June..... 2d Tuesday in November ...	Prairie du Chien.	Chap. 13, sec. 1, L. 1901

SIXTH CIRCUIT.

JUDGE—J. J. FRUIT, LA CROSSE.

Term ends first Monday of January, 1907.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
a Crosse...	2d Tuesday in January..... 1st Tuesday in May..... 2d Tuesday in September...	La Crosse.....	Sec. 2424, W. S. 1898.
onroe	3d Tuesday in March ..... 1st Tuesday in October	Sparta	Sec. 2424, W. S. 1898.
rempealeau.	1st Tuesday in March ..... 3d Tuesday in October	Whitehall.....	Sec. 2424, W. S. 1898.
ernon	2d Tuesday in June..... 2d Tuesday in December	Viroqua.....	Sec, 2424, W. S. 1898.
ıneau	2d Tuesday in April ..... 3d Tuesday in November....	Mauston	Sec. 2424, W. S. 1898.

SEVENTH CIRCUIT.

JUDGE—CHARLES M. WEBB, GRAND RAPIDS.

Term ends first Monday of January, 1903.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Adams	2d Tuesday in June ..... 3d Tuesday in December....	Friendship	Sec. 2424, W. S. 18[illegible]
Portage	4th Monday in March ..... 3d Monday in November ...	Stevens Point....	Sec. 2424, W. S. 18[illegible]
Waupaca	1st Monday in March..... 4th Monday in October.....	Waupaca	Sec. 2424, W. S. 18[illegible]
Waushara	Last Monday in April..... 3d Monday in September....	Wautoma	Chap. 6, sec. 1, L. 17[illegible]
Wood	2d Monday in May..... 1st Monday in October.....	Grand Rapids ...	Sec 2424, W. S. 18[illegible]

EIGHTH CIRCUIT.

JUDGE—EUGENE W. HELMS, HUDSON.

Term ends first Monday of January, 1903.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Buffalo.....	3d Monday in February.... 4th Monday in October.....	Alma	Sec. 1, ch. 133, L. 19[illegible]
Dunn	2d Monday in March ..... 2d Monday in September....	Menomonie	Sec. 1, ch. 133, L. 19[illegible]
Pepin	3d Monday in April ..... 3d Monday in October	Durand	Sec. 1, ch. 133, L. 19[illegible]
Pierce	2d Monday in May ..... 3d Monday in November	Ellsworth.....	Sec. 1, ch. 335, L. 19[illegible]
St. Croix	4th Monday in March ..... 4th Monday in September ..	Hudson	Sec. 1, ch. 133, L. 19[illegible]

The judge of said circuit may appoint, by order to be filed in the office of the clerk of the circuit court for each county therein, four special terms in each year at such times and places as he shall deem necessary and proper. Said order shall be filed at least four weeks before the time therein appointed for holding any such term, and the time of holding the same may be changed in like manner. At terms so appointed and held any and all business except the trial of issues of fact by a jury may be transacted. Sec. [illegible] *ch. 133, L. 1901.*

NINTH CIRCUIT.

JUDGE—ROBERT G. SIEBECKER, MADISON.

Term ends first Monday of January, 1903.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Columbia....	2d Tuesday in May..... 1st Tuesday in December.....	Portage.....	Sec. 2424, W. S. 1898.
Dane*.....	2d Monday in January..... Monday after first Tuesday in April 4th Monday in June..... 3d Monday in September.....	Madison.....	Sec. 2424, W. S. 1898.
Marquette ..	1st Tuesday in June..... Tuesday after 3d Monday in November.....	Montello.....	Sec. 2424, W. S. 1898.
Sauk	2d Tuesday in March..... 3d Tuesday in October.....	Baraboo.....	Sec. 2424, W. S. 1898.

*But no jury shall be summoned for the term in June. *Sec. 2424, W. S. of 1898.*

TENTH CIRCUIT.

JUDGE—JOHN GOODLAND, APPLETON.

Term ends first Monday of January, 1904.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Florence	1st Tuesday in March..... 3d Tuesday in September....	Florence	Sec. 2424, W. S. 1898.
Forest.....	2d Tuesday in March..... 4th Tuesday in September...	Crandon.....	Sec. 2424, W. S. 1898.
Langlade	3d Monday in March..... 1st Monday in October.....	Antigo.	Sec. 2424, W. S. 1898.
Outagamie*...	1st Tuesday in February.... 3d Monday in April..... 2d Monday in November....	Appleton.....	Sec. 2424, W. S. 1898.
Shawano.....	3d Monday in May. ..... 1st Monday in December....	Shawano.....	Sec. 2424, W. S. 1898.

*No jury shall be summoned for the February term in said county. *Sec. 2424, W. S. of 1898.*

ELEVENTH CIRCUIT.

JUDGE—AAD J. VINGE, SUPERIOR.

Term ends first Monday of January, 1907.

COUNTIES.	TERMS.	WHERE HELD.	LAWS
Barron.....	2d Tuesday in April ..... 4th Tuesday in September ..	Barron	Sec. 2424, W. S. 1898
Burnett.....	1st Tuesday in March ..... 3d Tuesday in September ...	Grantsburg	Sec. 2424, W. S. 1898
Chippewa.....	1st Tuesday in May ..... 2d Tuesday in October	Chippewa Falls..	Sec. 2424, W. S. 1898.
Douglas	1st Tuesday in February .... 1st Tuesday in June..... 2d Tuesday in November....	Superior	Sec. 2424, W. S. 1898.
Polk	2d Tuesday in March..... 1st Tuesday in September...	Balsam Lake....	Sec. 2424, W. S. 1898
Washburn	4th Tuesday in March..... 4th Tuesday in August	Shell Lake.....	Sec 2424, W. S. 1898.

TWELFTH CIRCUIT.

JUDGE—BENJAMIN DUNWIDDIE, JANESVILLE.

Term ends first Monday of January, 1907.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Rock.....	4th Monday in February .... 1st Monday in June .... 3d Monday in November	Janesville.....	Chap. 27, sec 1, L. 1901
Green	1st Monday in April ..... 4th Monday in June. ..... 3d Monday in October.....	Monroe	Chap. 27, sec. 1, L. 1901.
Jefferson.....	1st Monday in February..... 2d Monday in June..... 3d Monday in September....	Jefferson.....	Chap 27, sec. 1. L. 1901.

No jury shall be summoned for either of the terms to be held in the months of June. *Sec. 1, chap. 27, L. 1901.*

THIRTEENTH CIRCUIT.

JUDGE—JAMES J. DICK, BEAVER DAM.

Term ends first Monday of January, 1906.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Dodge.....	4th Tuesday in September .. 2d Tuesday in February. ...	Juneau.....	Sec. 2424, W. S. 1898.
Ozaukee	1st Tuesday in September... 1st Tuesday in March	Port Washington	Sec. 2424, W. S. 1898.
Washington ..	2d Tuesday in October ..... 3d Tuesday in March.....	West Bend.....	Sec. 2424, W. S. 1898.
Waukesha*...	1st Tuesday in December.... 1st Monday in May..... 4th Tuesday in August (special) ..... 1st Tuesday in February (special)	Waukesha	Sec. 2424, W. S. 1898.

*No jury shall be summoned for the special terms. *Sec. 2424, W. S. 1898.*
At any general or special term any and all business may be done arising or pending in any county in said circuit which might be done at a general term in the several counties except the trial of issues of fact by a jury. *Sec. 2424, W. S. 1898.*

FOURTEENTH CIRCUIT.

JUDGE—SAMUEL D. HASTINGS, JR., GREEN BAY.

Term ends first Monday of January, 1908.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Brown	Last Monday in November. 1st Monday in March..... 1st Monday in June	Green Bay	Sec. 2424, W. S. 1898.
Door	1st Tuesday in February .... Tuesday after 1st Monday in September.....	Sturgeon Bay....	Sec. 2424, W. S. 1898.
Marinette.....	2d Monday in January ..... 1st Monday in May..... 1st Monday in October.....	Marinette.....	Sec. 2424, W. S. 1898.
Oconto.....	2d Monday in April..... 2d Monday in November	Oconto.....	Sec. 2424, W. S 1898.

FIFTEENTH CIRCUIT.

JUDGE—J. K. PARISH, ASHLAND.

Term ends first Monday of January, 1906.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Ashland	3d Monday in April 3d Monday in September	Ashland	Sec. 1, ch. 299, L. 1901
Bayfield	1st Monday in June 3d Monday in October	Washburn	Sec. 1, ch. 299, L. 1901
Gates	1st Wednesday after 1st Monday in July 3d Monday in December	Ladysmith	Sec. 2, ch 469, L. 1901
Iron	3d Monday in May 4th Monday in November	Hurley	Sec. 1, ch. 299, L. 1901
Price	3d Monday in June 2d Monday in December	Phillips	Sec. 1, ch. 299, L. 1901
Sawyer	1st Wednesday after 4th Monday in May 2d Monday in November	Hayward	Sec. 1, ch. 299, L. 1901
Taylor	1st Wednesday after the 4th Monday in June 4th Monday in December	Medford	Sec. 1, ch. 299, L. 1901

No jury shall be summoned for any such term if the presiding judge of the circuit shall file an order with the clerk of the court for any court therein, at least fifteen days before any general term in such county, directing that no jury shall be summoned; such order may be made whenever it shall appear that there is no necessity for a jury. The judge may adjourn any general or extra term of such court to the next ensuing general term or beyond the time fixed for holding general terms thereof in any county in the circuit. *Sec. 1, chap. 299, L. 1901.*

SIXTEENTH CIRCUIT.

JUDGE—W. C. SILVERTHORN, WAUSAU.

Term ends first Monday of January, 1904.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Lincoln	1st Monday in October 1st Monday after 1st Tuesday in April	Merrill	Sec. 1, ch. 2, L. 1901
Marathon	2d Monday in February 2d Monday in September	Wausau	Sec. 1, ch. 2, L. 1901
Oneida	1st Monday in May 2d Monday in November	Rhinelander	Sec. 1, ch. 2, L. 1901
Vilas	4th Monday in May 1st Monday in December	Eagle River	Sec. 1, ch. 2, L. 1901

Every general term of the circuit in each of the counties as herein provided for shall be a special term of the circuit court for each of the other counties in said circuit and any and all business arising and pending, or which may arise or be pending in any of the counties in said circuit, excepting the trial of issues of fact by a jury, may be brought and heard and determined or disposed of judicially, at any of such special terms. *Sec. 2, ch. 2, L. of 1901.*

Section 3. All writs and every summons, process, recognizance, information, motion and proceeding or requirements of every kind and nature, in the circuit court of any of the said counties to be heard or made returnable on the first day of any term of court in said counties, as now fixed by law, and up to the time of the passage of this act shall be considered and held to be returnable and to be heard and determined as of the first term of court, as herein fixed, the same as of the term or terms heretofore fixed. *Sec. 3, ch. 2, L. 1901.*

SEVENTEENTH CIRCUIT.

JUDGE—JAMES O'NEILL, NEILLSVILLE.

Term ends first Monday of January, 1904.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Clark	3d Monday in April..... 2d Monday in November	Neillsville	Sec. 1, ch. 103, L. 1901.
Eau Claire*...	3d Monday in March ..... 3d Monday in September.....	Eau Claire.....	Sec. 1, ch. 103, L. 1901.
Jackson.....	1st Monday in March..... 2d Monday in October.....	Black River Falls	Sec. 1, ch. 103, L. 1901.

* There shall also be held in the county of Eau Claire, on the second Monday in June, a special term for said circuit, but no jury shall be drawn for said term. *Chap. 103, Laws of 1901.*

CIRCUIT COURT REPORTERS.

No. of circuit.	Name.	P. O. address.
1	Charles H. Welch.....	Milwaukee.
2	H. D. Goodwin, for Judge E. S. Elliott.....	Milwaukee.
2	Richard Burke, for Judge L. W. Halsey	Milwaukee.
3	William C. Kimball	Oshkosh.
4	H. A. Bush.....	Fond du Lac.
5	Charles Orton.....	Lancaster.
6	Alfred Harrison.....	La Crosse.
7	R. W. Morse	Grand Rapids.
8	Charles A. Cross.....	Hudson.
9	Edward H. Smith	Madison.
10	F. S. Bradford.....	Appleton.
11	T. H. Wolford	Superior.
12	F. C. Grant	Janesville.
13	J. H. Sawyer	Beaver Dam.
14	James T. Parkes.....	Green Bay.
15	Joseph Cover.....	Ashland.
16	George Hart.....	Wausau.
17	Charles W. Fiske.....	Eau Claire.

CIRCUIT COURT COMMISSIONERS.

In the several counties, appointed by the Circuit judges, as reported by the clerks of the Circuit Courts, July 1, A. D. 1901. The county judges of all counties, also have the powers of court commissioners.

ADAMS COUNTY.

George W. Waterman.....Friendship
Irwin S. Berry .....Kilbourn
Henry J. Dartt.....Friendship

ASHLAND COUNTY.

Charles Brisley .....Ashland
Ben S. Smith .....Ashland
George H. McCloud .....Ashland
N. B. Wharton .....Ashland

BARRON COUNTY.

Fred B. Kinsley.....Barron
James Robbins .....Rice Lake
L. L. Constance .....Rice Lake

BAYFIELD COUNTY.

O. Flanders .....Bayfield
Ernest Sauve .....Iron River
Arthur R. Mead .....Iron River
D. M. Maxcy .....Washburn
Nels M. Oscar .....Washburn

BROWN COUNTY.

G. E. Matile .....Green Bay
F. C. Cady .....Green Bay
C. W. Lomas .....Green Bay
L. F. Parker .....De Pere

BUFFALO COUNTY.

Theo. Buchler .....Alma
E. F. Ganz .....Alma
M. L. Fugina .....Fountain City
J. W. Whelan .....Mondovi
P. H. Urness .....Mondovi

BURNETT COUNTY.

F. O. Olsen .....Grantsburg
F. G. Dahlberg .....Trade Lake

CALUMET COUNTY.

James Kirwan .....Chilton
George C. Hume .....Chilton

CHIPPEWA COUNTY.

Arthur Gough .....Chippewa Falls
L. J. Rusk .....Chippewa Falls
John P. Wall .....Chippewa Falls

CLARK COUNTY.

R. F. Kountz.....Neillsville
Charles F. Grow .....Neillsville
J. R. Studevant .....Neillsville
D. R. Freeman .....Colby
B. M. Fullmer .....Loyal
George Burke .....Thorp

COLUMBIA COUNTY.

A. D. Bowman .....Kilbourn
W. C. Leitsch .....Columbus
Chas. L. Dering .....Portage
J. W. Coapman .....Portage
Peter Williams .....Cambria
S. H. Watson .....Leon

CRAWFORD COUNTY.

O. B. Thomas .....Prairie du Chien
Wm. H. Evans .....Prairie du Chien
G. L. Miller .....Prairie du Chien
J. N. Kast .....Belle Center
N. O. Peterson .....Soldiers Grove

DANE COUNTY.

C. E. Buell .....Madison
Chas. N. Brown .....Madison
Rufus B. Smith .....Madison
Herman Pfund .....Madison
J. C. Harper .....Madison
Harry L. Butler .....Madison

DODGE COUNTY.

Geo. W. Morse .....Juneau
H. W. Lander .....Beaver Dam
F. M. Lawrence .....Mayville
E. D. Doney .....Waupun
Chas. A. Kading .....Watertown

DOOR COUNTY.

G. W. Allen .....Sturgeon Bay

DOUGLAS COUNTY.

Phillip H. Perkins .....West Superior
J. M. Reed .....West Superior
W. B. Kellogg .....West Superior
C. R. Fridley .....West Superior
George C. Cooper .....West Superior
George B. Hudnall .....Superior

DUNN COUNTY.

N. F. Carpenter .....Menomonie
J. R. Mathews .....Menomonie
J. C. Ticknor .....Menomonie

EAU CLAIRE COUNTY.

W. W. Johnston .....Augusta
A. J. Marsh .....Eau Claire
Alexander Meggett .....Eau Claire
George C. Teall .....Eau Claire
William C. Donovan .....Eau Claire
Robert D. Whitford .....Eau Claire

FLORENCE COUNTY.

W. C. Haberkorn .....Florence
J. E. Parry .....Florence
E. W. Hopkins.....Commonwealth

CIRCUIT COURT COMMISSIONERS—Continued.

FOND DU LAC COUNTY.

H. F. Rose .....Fond du Lac
D. D. Sutherland .....Fond du Lac
T. J. Hoey .....Fond du Lac
J. M. Gooding .....Fond du Lac
R. L. Oliver .....Waupun
A. E. Dunlap .....Ripon

FOREST COUNTY.

P. Shay .....Armstrong Creek
John Masbaum .....North Crandon
L. W. Bliss .....Crandon
O. H. Senglaub .....Wabeno

GRANT COUNTY.

W. J. Brennan .....Lancaster
Herman Buchner .....Lancaster
W. E. Howe .....Boscobel
J. W. Murphy .....Platteville
W. H. Beebe .....Platteville

GREEN COUNTY.

Willard T. Saucerman ..... Monroe
Thomas Luchsinger .....Monroe
H. N. B. Caradine.....Monroe

GREEN LAKE COUNTY.

John C. McConnell .....Dartford
John J. Wood, Jr. .....Berlin
Perry Niskern .....Berlin
Fred Engelbracht, Jr. .....Berlin
Edward Harroune .....Princeton

IOWA COUNTY.

Calvert Spensley .....Mineral Point
J. M. Smith .....Mineral Point
Ernest Fiedler .....Mineral Point
J. J. Hoskins .....Dodgeville
Richard Carter .....Dodgeville
J. P. Smelker .....Dodgeville

IRON COUNTY.

James Blackburn .....Hurley
Daniel Reed .....Hurley
J. B. Anderson.....Upson
S. J. McNalley .....Hurley
J. C. Flanagan .....Hurley
J. A. Chiono .....Hurley

JACKSON COUNTY.

John G. Forbes .....Black River Falls
Frank Johnson .....Black River Falls
Edwin Pierce .....Merrillan
Chas. F. Hille .....Black River Falls
Ralph C. Pope .....Black River Falls
F. J. Reichenbach .....Merrillan

JEFFERSON COUNTY.

E. A. Wigdale .....Ft. Atkinson
W. H. Porter .....Jefferson
O. C. Hahn .....Watertown
Chas. A. Skinner .....Watertown
H. T. Ames .....Waterloo

JUNEAU COUNTY.

H. W. Barney .....Mauston
T. K. Dunn .....Elroy
Geo. S. Grubb .....Mauston
J. J. Hughes .....New Lisbon
N. M. Hess .....New Lisbon
A. D. Gill .....Mauston

KENOSHA COUNTY.

James Cavanaugh .....Kenosha
Myron A. Baker .....Kenosha
Henry J. Hastings .....Kenosha
Gerald R. McDowell .....Kenosha
John C. Slater .....Kenosha

KEWAUNEE COUNTY.

Frank Kwapil .....Algoma
J. H. McGowan .....Algoma
A. D. Laughlin .....Kewaunee
A. L. Schmitz .....Kewaunee
L. Albert Karel .....Kewaunee

LA CROSSE COUNTY.

C. L. Hood .....La Crosse
John A. Daniels .....La Crosse
P. W. Mahoney .....La Crosse
T. J. Widvey ....La Crosse
A. Harrison .....La Crosse
G. C. Prentiss .....La Crosse

LAFAYETTE COUNTY.

P. H. Conley .....Darlington
G. A. Marshall .....Darlington
J. H. Clary .....Darlington
M. A. O'Brien .....Shullsburg
John W. Blackstone .....Shullsburg
H. C. Martin .....Darlington

LANGLADE COUNTY.

Geo. W. Latta .....Antigo
C. Werden Deane .....Antigo
T. W. Hogan .....Antigo
W. F. White .....Antglo
Jno. E. Martin .....Antigo

LINCOLN COUNTY.

E. M. Smart .....Merrill
M. C. Porter .....Merrill
A. A. Helms .....Merrill
T. J. Mathews .....Merrill
G. M. Sheldon .....Tomahawk

MANITOWOC COUNTY.

G. G. Sedgwick .....Manitowoc
H. L. Markham .....Manitowoc
J. S. Anderson.....Manitowoc
John Chloupek .....Manitowoc
W. J. Wrieth .....Two Rivers

MARATHON COUNTY.

M. B. Rosenberry .....Wausau
Otto Krueger .....Wausau
C. H. Mueller .....Wausau
Andrew Flaig .....Colby
Louis Marchetti .....Wausau
W. B. Richardson.....Mosinee

CIRCUIT COURT COMMISSIONERS—Continued.

MARINETTE COUNTY.

H. M. Bird .....Marinette
Charles C. Daily .....Marinette
Amos Holgate .....Marinette
Henry T. Scudder .....Marinette
E. J. Devney .....Marinette

MARQUETTE COUNTY.

John Barry .....Montello
F. J. Dodge .....Montello
James Duff .....Packwaukee
S. G. Mills .....Briggsville

MILWAUKEE COUNTY.

Hugh Ryan .....Milwaukee
John F. Harper .....Milwaukee
W. J. McElroy.....Milwaukee
Mrs. Kate Pier .....Milwuakee
J. E. Roehr .....Milwaukee
Fred Scheiber .....Milwaukee
Francis Bloodgood .....Milwaukee
G. W. Hazelton .....Milwaukee
M. M. Riley .....Milwaukee
E. E. Chapin .....Milwaukee
Gustav Wollaeger, Jr. .....Milwaukee

MONROE COUNTY.

S. W. Button .....Sparta
Ray B. Graves .....Sparta
Howard Teasdale .....Sparta
A. D. Benjamin .....Tomah
Chris Maxwell .....Tomah
H. C. Spaulding .....Tomah

OCONTO COUNTY.

Francis X. Morrow.....Oconto
A. Reinhart .....Oconto
D. G. Classon .....Oconto
L. S. Bailey .....Oconto
L. J. Pingel .....Oconto
George Crawford .....Gillett

ONEIDA COUNTY.

Levi J. Billings .....Rhinelander
W. W. Carr .....Rhinelander
Paul Browne .....Rhinelander

OUTAGAMIE COUNTY.

Frank W. Harriman .....Appleton
Samuel Boyd .....Appleton
Orlando E. Clark .....Appleton
D. J. Brothers .....Kaukauna
Louis Jacquot .....Hortonville
F. R. Dittmer .....Seymour

OZAUKEE COUNTY.

Eugene S. Turner .....Port Washington
Lathar Sauer .....Port Washington
Wm. A. Tholen .....Port Washington

PEPIN COUNTY.

Fred Stahl .....Pepin
C. M. Hillard .....Durand
J. J. Morgan .....Durand
J. D. Eldridge.....Durand
A. V. Hammond .....Durand

PIERCE COUNTY.

John Foley .....Ellsworth
W. G. Spence .....Spring Valley

POLK COUNTY.

James J. Cavanaugh .....Clear Lake
H. B. Dike .....Osceola

PORTAGE COUNTY.

A. J. Smith .....Amherst
A. P. Een .....Amherst
H. H. Moore .....Plover
Daniel J. Leahy .....Stevens Point

PRICE COUNTY.

G. M. Chamberlain .....Phillips
Freeman W. Sackett .....Phillips
G. D. Myers .....Prentice
Richard E. Smith .....Phillips

RACINE COUNTY.

John T. Wentworth .....Racine
Wm. D. Thompson .....Racine
R. L. Upchurch .....Racine
Max W. Heck .....Racine
A. Cary Judd .....Racine
Francis Reuschlein .....Burlington

RICHLAND COUNTY.

Michael Murphy .....Richland Center
James H. Miner.....Richland Center
K. W. Eastland .....Richland Center
F. W. Burnham .....Richland Center
George Wulfing .....Richland Center

ROCK COUNTY.

M. P. Richardson .....Janesville
Ed. F. Carpenter .....Janesville
L. F. Patten .....Janesville
J. P. Towne .....Edgerton
S. J. Todd .....Beloit

ST. CROIX COUNTY.

Harry H. Smith .....New Richmond
H. C. Fickes .....Glenwood
John W. Bashford .....Hudson
S. J. Bradford .....Hudson
Trueworthy Jewell .....Star Prairie
Henry Anderson .....Baldwin

SAUK COUNTY.

E. F. Dithmar .....Baraboo
E. Aug. Runge .....Baraboo
H. N. Winchester .....Reedsburg
W. A. Wyse .....Reedsburg

SAWYER COUNTY.

George Herrington .....Hayward
Sam J. Williams .....Hayward
W. H. Marquette .....Hayward
Otto Christianson .....Hayward
A. M. Sabian .....Hayward
N. D. Rodman .....Hayward

CIRCUIT COURT COMMISSIONERS—Continued.

SHAWANO COUNTY.

H. Klosterman .....Shawano
C. A. Raisler .....Shawano
O. Andrews ....Shawano
Frank Williams .....Wittenberg
F. H. Bishop .....Cecil
C. F. Dillett .....Shawano

SHEBOYGAN COUNTY.

D. T. Phalen .....Sheboygan
F. H. Denison .....Sheboygan
Francis Williams .....Sheboygan
A. C. Prescott .....Sheboygan
H. J. Rooney .....Plymouth
John E. Thomas .....Sheboygan Falls

TAYLOR COUNTY.

J. B. Hagarty .....Medford
T. G. Jeffers .....Medford
Clinton Textor .....Medford
Wm. Pringle .....Rib Lake
K. J. Urquhart .....Medford

TREMPEALEAU COUNTY.

J. A. Rainey .....Arcadia
E. S. Hotchkiss .....Independence
Wm. H. Gibson .....Centerville
Alex. A. Arnold .....Galesville

VERNON COUNTY.

Chas. H. Minshall .....Viroqua
C. M. Butt .....Viroqua
L. H. E. Webster .....Hillsboro
Jackson Silbaugh .....Viroqua
Alva F. Drew .....La Farge

VILAS COUNTY.

Geo. E. O'Connor .....Eagle River
Jonas Radcliffe .....Minoqua
A. G. Bolger .....Minoqua

WALWORTH COUNTY.

J. F. Lyon .....Elkhorn
E. L. von Suessmilch .....Delavan
J. W. Page .....Elkhorn

WASHBURN COUNTY.

P. E. Leonard .....Shell Lake
A. L. Bugbee .....Shell Lake
C. W. Haskins .....Spooner

WASHINGTON COUNTY.

Fred H. Haase .....West Bend
C. E. Robinson .....West Bend
J. C. Russell .....Hartford

WAUKESHA COUNTY.

D. J. Hemlock .....Waukesha
Ernst Merton .....Waukesha
T. W. Parkinson .....Waukesha
A. J. Dopp .....Waukesha
Edwin Hurlbut .....Oconomowoc
Oscar F. Jones .....Oconomowoc

WAUPACA COUNTY.

J. E. Lehr .....Clintonville
Charles Churchill .....Waupaca
R. F. Taggart .....Weyauwega
Charles A. Holmes .....New London

WAUSHARA COUNTY.

S. A. Corning .....Plainfield
W. B. Angelo .....Plainfield
W. N. Kelley .....Plainfield
John H. Thomas .....Berlin
Gilbert Tennant .....Wautoma
Chas. E. Baker .....Plainfield
R. W. Hubble .....Wautoma

WINNEBAGO COUNTY.

H. L. Sweet .....Oshkosh
Wesley Mott .....Neenah
Christian Sarau .....Oshkosh
W. W. Waterhouse .....Oshkosh
John Harrington .....Oshkosh
Daniel E. McDonald .....Oshkosh

WOOD COUNTY.

B. M. Vaughan .....Grand Rapids
Theo. W. Brazeau .....Grand Rapids
Herman Wipperman, Jr....Grand Rapids
E. M. Deming .....Marshfield
Ross E. Andrews .....Marshfield

STATUTES OF 1898, AMENDED BY LAWS OF 1899–1901.

Sections of Statutes.	Amending Laws.
5 Par. 9	Ch. 469, 1901.
9	Sec. 1, ch. 398, 1901.
10	Sec. 1, ch. 309, 1901.
11	Ch. 164, 1901.
11*a*–11*i*	Repealed, sec. 12, ch. 341, 1899.
16	Sec. 1, ch. 351, 1899; sec. 1, ch. 333, 1901.
21	Sec. 1, ch. 96, 1899.
26	Ch. 393, 1901.
36	Ch. 457, 1901.
37	Sec. 1, ch. 349, 1899; sec. 3, ch. 351, 1899; sec. 2, ch. 457, 1901.
38	Sec, 2, ch. 349, 1899; sec. 4, ch. 351, 1899; sec. 3, ch. 457, 1901.
40	Sec. 3, ch. 349, 1899; sec. 4, ch. 457, 1901.
49	Sec. 1, ch. 72. 1899; sec. 1, ch. 404, 1901.
51	Sec. 4, ch. 349, 1899.
52	Sec. 5, ch. 349, 1899.
57—1	Sec. 6, ch. 349, 1899.
57—3	Sec. 7, ch. 349, 1899.
78	Sec. 1, ch. 148, 1901.
79	Sec. 1, ch. 148, 1901.
85	Sec. 1, ch. 3, 1899.
94*s*	Sec. 1, ch. 7, 1899.
94*t*	Sec. 1, ch. 47, 1899.
111*a*	Sec. 1, ch. 3, 1901; ch 438, 1901.
112	Sec. 2, ch. 3, 1901; ch. 438, 1901.
119	Sec. 1, ch. 405, 1901.
120	Sec. 2, ch. 405, 1901.
121	Sec. 1, ch. 291, 1899; sec. 1, ch. 334, 1901; sec. 3, ch. 405, 1901.
140	Sec. 5, ch. 351, 1899.
158	Sec. 1, ch. 400, 1901.
160*f*	Sec. 1, ch. 346, 1901.
163	Sec. 1, ch. 94, 1901.
166—9	Sec. 1, ch. 59, 1899.
169*a*	Repealed, sec. 4, ch. 418, 1901.
169*b*	Sec. 1, ch. 290, 1899.
170	Sec. 1, ch. 249, 1899; secs. 1 and 2, ch. 299, 1899; sec. 5, ch. 258, 1899; sec. 1, ch. 138, 1901; sec. 1, ch. 158, 1901; sec. 3, ch. 418, 1901; sec. 2, ch. 432, 1901.
171	Sec. 1, ch. 107, 1899.
172	Sec. 6, ch. 351, 1899.
176	Repealed sec. 2, ch. 356, 1899; re-enacted sec. 1, ch. 41, 1901.
186	Sec. 1, ch. 258, 1899; sec. 3, ch. 432, 1901.
187	Sec. 2, ch. 258, 1899; sec. 4, ch. 432, 1901.
189	Sec. 3, ch. 258, 1899; sec. 5, ch. 432, 1901.
212	Sec. 4, ch. 258, 1899. sec. 6, ch. 432, 1901.

STATUTES OF 1898, AMENDED BY LAWS OF 1899-1901.

Sections of Statutes.	Amending Laws.
238	Sec. 7, ch. 432, 1901.
258—2	Sec. 1, ch. 129, 1899.
258a	Sec. 1, ch. 130, 1899.
258i	New section, sec. 2, ch. 130, 1899.
261	Sec. 2, ch. 129, 1899; sec. 1, ch. 123, 1901.
288	Sec. 1, ch. 418, 1901.
289	Sec. 1, ch. 35, 1899.
305	Sec. 7, ch. 351, 1899.
317	Sec. 8, ch. 351, 1899
319	Sec. 2, ch. 94, 1901; sec. 2, ch .161 ,1901.
335c	Sec. 2, ch. 94, 1901.
335e	Sec. 1, ch. 314, 1899; sec. 1, ch. 339, 1901.
341	Sec. 1, ch. 197, 1901.
346	Sec. 1, ch. 226, 1901.
347b	Sec. 1, ch. 118, 1901.
355	Sec. 9, ch. 351, 1899; sec. 1, ch. 334, 1901.
355—3	Created, sec. 10, ch. 351, 1899.
357	Sec. 1, ch. 334, 1901.
373c-i	New sections, ch. 168, 1901.
376—8	Sec. 3, ch. 296, 1899.
378	Sec. 1, ch. 255, 1901.
388	Sec. 1, ch. 344, 1901.
390	Sec. 1, ch. 170, 1899; sec. 1, ch. 322, 1901.
393	Sec. 1, ch. 74, 1899; sec. 1, ch. 260, 1899; sec. 1, ch. 166, 1901.
406a	Sec. 2, ch. 170, 1899; sec. 1, ch. 370, 1901.
408	Sec. 1, ch. 179, 1899; sec.1, ch. 371, 1901.
419a	Sec. 1, ch. 348, 1901.
422	Sec. 1, ch. 304, 1901.
428	Sec. 1, ch. 233, 1899.
428a	Sec. 2, ch. 233, 1899; sec. 1, ch. 285, 1901.
430—15	Sec. 1, ch. 351, 1901.
430—16	Sec. 2, ch. 351, 1901.
430c	Created, sec. 1, ch. 298, 1899.
430d	Sec. 2, ch. 298, 1899.
439a	Sec. 1, ch. 251, 1901.
450	Sec. 1, ch. 439, 1901.
450a	New section, sec. 2, ch. 439, 1901.
450b	New section, sec. 3, ch. 439, 1901.
450c	New section, sec. 4, ch. 439, 1901.
451	Sec. 5, ch. 439, 1901.
452	Sec. 6, ch. 439, 1901.
452a	Sec. 7, ch. 439, 1901.
452b	New section, sec. 1, ch. 104, 1899.
458c	Sec. 1, ch. 237, 1899.
458h	Sec. 1, ch. 171, 1901.
461—8	Sec. 1, ch. 290, 1901.
461d	Sec. 1, ch. 52, 1901.
468—4	Sec. 1, ch. 119, 1901.
486a	Sec. 1, ch. 272, 1899.

STATUTES OF 1898, AMENDED BY LAWS OF 1899–1901.

Sections of Statutes.	Amending Laws.
491	Sec. 1, ch. 57, 1899.
491*a*	Sec. 1, ch. 345, 1901.
491*b*	Sec. 2, ch. 345, 1901.
492*a*	New section, sec. 1, ch. 253, 1901.
495	Sec. 1, ch. 342, 1901.
496	Sec. 1, ch. 214, 1899; sec. 3, ch. 345, 1901.
496*a*	Sec. 8, ch. 439, 1901.
496*c*	Sec. 1, ch. 273, 1899.
497*a*	New section, sec. 1, ch. 184, 1901.
521	Sec. 2, ch. 416, 1901.
523	Sec. 1. ch. 160, 1901.
524	Sec. 3, ch. 351, 1901.
526	Sec. 4, ch. 351, 1901.
541	Sec. 1, ch. 416, 1901.
554	Sec. 1, ch. 115, 1899.
558	Sec. 1, ch. 450, 1901.
562*a*	Sec. 1, ch. 403, 1901.
564	Sec. 1, ch. 226, 1899.
Ch. 30*a*	Extended, ch. 109, 1901.
573	Sec. 1, ch. 223, 1901.
579*a*	New section, sec. 1, ch. 422, 1901.
585*c*	Sec. 1, ch. 65, 1901.
587	Sec. 1. ch. 163, 1901.
587*c*	Sec. 1, ch. 327, 1899; sec. 1, ch. 77, 1901.
595	Sec. 1, ch. 367, 1901.
604*a*	Sec. 1, ch. 73, 1899.
604*s*	Sec. 1, ch. 150, 1899.
609	Sec. 1, ch. 228, 1899.
Ch. 34	Repealed, sec. 45, ch. 200, 1899. See ch. 228, 1901.
630	Sec. 2, ch. 418, 1901.
670	Sec. 11, ch. 351, 1899.
671*a*	Created, sec. 1, ch. 253, 1899.
685	Sec. 12, ch. 351, 1899.
696	Sec. 1, ch. 153, 1901.
701	Sec. 2, ch. 3, 1899.
702*a*	Sec. 14, ch. 351, 1899.
706	Sec. 1, ch. 155, 1899; sec. 1, ch. 57, 1901.
711	Sec. 2, ch. 155, 1899.
731	Sec. 15, ch. 351, 1899.
764*a*	Sec. 1, ch. 278, 1899.
771	Sec. 1, ch. 213, 1901.
776	Sec. 1, ch. 325, 1899.
783	Sec. 1, ch. 86, 1899.
796	Sec. 1, ch. 402, 1901.
808	Sec. 1, ch. 97, 1899.
819	Sec. 1, ch. 302, 1901.
823	Sec. 1, ch. 85, 1899; sec. 2, ch. 325, 1899.
827*a*	New section, sec. 1, ch. 449, 1901.
840	Sec. 1, ch. 335, 1899.
843	Sec. 16, ch. 351, 1899.
845	Sec. 2, ch. 97, 1899.
846—1	Sec. 1, ch. 78, 1901.

STATUTES OF 1898, AMENDED BY LAWS OF 1899–1901.

Sections of Statutes.	Amending Laws.
888	Sec. 17, ch. 351, 1899.
494*a*	Sec. 1, ch. 284, 1899.
925*d*	Sec. 2, ch. 284, 1899.
925—14	Sec. 1, ch. 36, 1901.
925—23	Sec. 1, ch. 60, 1901.
925—25	Sec. 2, ch. 60, 1901.
925—52—29	Sec. 1, ch. 169, 1901.
925—52—66	Sec. 1, ch. 61, 1899.
925—58	Sec. 1, ch. 127, 1899.
925—62*a*	New section, sec. 1, ch. 84, 1899.
925—95	Sec. 1, ch. 135, 1901.
925—95*a*	Sec. 2, ch. 135, 1901.
925—99*a*	New section, sec. 1, ch. 362, 1901.
925—99*b*	New section, sec. 1, ch. 362, 1901.
925—105	Sec. 2, ch. 362, 1901.
925—113	Sec. 1, ch. 287, 1899.
925—119	Sec. 1, ch. 186, 1899.
925—136	Sec. 1, ch. 211, 1899.
925—142	Sec. 2, ch. 186, 1899.
925—142*a*	Sec. 1, ch. 262, 1899.
925—143	Sec. 1, ch. 196, 1901.
925—147	Sec. 1, ch. 195, 1901.
925—152	Sec. 1, ch. 194, 1901.
925—193	Sec. 1, ch. 132, 1899.
925—204	Sec. 1, ch. 173, 1899.
925—205	Sec. 2, ch. 173, 1899.
925—205*a*	New section, sec. 1, ch. 20, 1899.
925—216	Sec. 1, ch. 215, 1901.
925—218	Sec. 2, ch. 215, 1901.
925—220	Sec. 3, ch. 215, 1901.
925—259	Sec. 1, ch. 272, 1901.
926	Sec. 1, ch. 51, 1899.
927—4	New section, sec. 1, ch. 174, 1901.
930*a*, 930*b*	New section, sec. 1, ch. 61, 1901.
931	Sec. 1, ch. 89, 1899; sec. 1, ch. 203, 1901.
931*a*	New section, sec. 1, ch. 310, 1901.
932	Sec. 1, ch. 98, 1901.
933	Sec. 2, ch. 310, 1901.
934	Sec. 1, ch. 139, 1899; sec. 1, ch. 265, 1901.
935	Sec. 1, ch. 96, 1901.
942	Sec. 1, ch. 309, 1899.
942*a*	New section, sec. 1, ch. 309, 1899.
943	Sec. 1, ch. 74, 1901.
959—8	Sec. 18, ch. 351, 1899.
959—41	Sec. 1, ch. 178, 1899.
959—44	Sec. 2, ch. 178, 1899.
959—45	Sec. 3, ch. 178, 1899.
1010	Sec. 1, ch. 210, 1899.

STATUTES OF 1898, AMENDED BY LAWS OF 1899-1901.

Sections of Statutes.	Amending Laws.
1010*a*	New sections, sec. 1, ch. 308, 1899.
1010*b*	
1010*c*	
1010*d*	
1021*f*	Sec. 1, ch. 158, 1899.
1023*a*	Sec. 1, ch. 250, 1899.
1024*b*	Sec. 1, ch. 83, 1901.
1024c	Repealed, sec. 2, ch. 250, 1899.
1032	Sec. 1, ch. 171, 1899.
1036	Sec. 1, ch. 346, 1899.
1037*a*	Sec. 1, ch. 283, 1899.
1038—20	Repealed, sec. 1, ch. 95, 1899.
1038—30	Repealed, sec. 1, ch. 392, 1901.
1040	Sec. 2, ch. 346, 1899; sec. 1, ch. 191, 1901.
1042*a*	Repealed, sec. 1, ch. 303, 1899.
1044	Sec. 1, cn. 229, 1899.
1045	Sec. 2, ch. 302, 1901.
1052	Sec. 1, ch. 92, 1901.
1058	Sec. 19, ch. 351, 1899; repealed, sec. 1, ch. 323, 1899; restored, sec. 1, ch. 389, 1901.
1059	Sec. 1, ch. 50, 1899.
1069	Repealed, sec. 6, ch. 237, 1901.
1072*a*	Sec. 20, ch. 351, 1899.
1077*aa*	New section, sec. 1, ch. 10, 1901.
1078	Sec. 3, ch. 302, 1901.
1081	Sec. 2, ch. 335, 1899; sec. 1, ch. 374, 1901.
1083	Sec. 3, ch. 335, 1899.
1087*a*	New section, sec. 13, ch. 351, 1899.
1088	Sec. 1, ch. 190, 1901.
1089	Sec. 4, ch. 335, 1899.
1090	Sec. 5, ch. 335, 1899.
1108	Repealed, sec. 6, ch. 335, 1899.
1109	
1110	Sec. 7, ch. 335, 1899.
1121	Sec. 1, ch. 164, 1899; sec. 8, ch. 335, 1899.
1181	Sec. 1, ch. 337, 1899.
1184*a*	New section, sec. 1, ch. 44, 1901.
1189*a*	Sec. 21, ch. 351, 1899.
1210*d*	Sec. 1, ch. 9, 1901; sec. 1, ch. 19, 1901.
1211	Sec. 2, ch. 308, 1899; sec. 1, ch. 417, 1901.
1212	Sec. 4, ch. 308, 1899.
1220	Sec. 1, ch. 326, 1899; ch. 21, 1901.
1222*c*	Sec. 1, ch. 354, 1899.
1222*d*	Sec. 2, ch. 354, 1899.
1222*e*	Sec. 3, ch. 354, 1899.
1222*e*–*l*	New section, sec. 4, ch. 354, 1899.
1223—2	Sec. 1, ch. 83, 1899.
1223*a*	New section, sec. 2, ch. 83, 1899.
1263	Sec. 1, ch. 140, 1899.
1265	Sec. 1, ch. 388, 1901.

STATUTES OF 1898, AMENDED BY LAWS OF 1899-1901.

Sections of Statutes.	Amending Laws.
1291	Sec. 1, ch. 257, 1899.
1321*b*	New sections, sec. 1, ch. 430, 1901.
1321*a*	
1337	Sec. 1, ch. 219, 1901.
1339	Sec. 1, ch. 305, 1899.
1346*a*	Sec. 1, ch. 278, 1901.
1346*b*	New section, sec. 2, ch. 278, 1901.
1347*b*	Sec. 1, ch. 197, 1899.
1359*a*	New section, sec. 1, ch. 386, 1901.
1363	Sec. 1, ch. 318, 1901.
1379—11	Sec. 1, ch. 50, 1901.
1379—13	Sec. 1, ch. 43, 1901.
1379—18	Sec. 2, ch. 43, 1901.
1379—18*a*	New section, sec. 3, ch. 43, 1901.
1379—19	Sec. 4, ch. 43, 1901.
1379—21	Sec. 5, ch. 43, 1901.
1379—24	Sec. 6, ch. 43, 1901.
1379—31	Sec. 7, ch. 43, 1901.
1407	Sec. 22, ch. 351, 1899.
1409*d*	Sec. 1, ch. 340, 1901.
1409*g*	Sec. 1, ch. 289, 1899.
1421*c*	Sec. 1, ch. 466, 1901.
1421*d*	Sec. 2, ch. 466, 1901.
1421*e*	Sec. 3, ch. 466, 1901.
1421*g*	Sec. 4, ch. 466, 1901.
1421*h*	Sec. 5, ch. 466, 1901.
1421*j*	Sec. 6, ch. 466, 1901.
1435*b*	Sec. 1, ch. 306, 1901.
1435*c*	
1458*a*	Sec. 1, ch. 48, 1899; sec. 1, ch. 82, 1901.
1458*d*	Sec. 1, ch. 356, 1901.
1459	Sec. 1, ch. 320, 1901.
1459*b*	Sec. 1, ch. 421, 1901.
1463	Sec. 1, ch. 274, 1901.
1480	Sec. 1, ch. 234, 1901; sec. 1, ch. 424, 1901.
1480*a*	Sec. 1, ch. 51, 1901.
1480*b*	Sec. 2, ch. 424, 1901.
1492*f*	Sec. 1, ch. 82, 1899.
1497	Sec. 1, ch. 203, 1899.
1498	Sec. 1, ch. 408, 1901.
1498*a*	Sec. 1, ch. 312, 1899; sec. 1, ch. 358, 1901; sec. 2, ch. 408, 1901.
1498*b*	Sec. 2, ch. 312, 1899; sec. 2, ch. 408, 1901.
1498*h*	Sec. 5, ch. 312, 1899.
1498*i*	Sec. 26, ch. 358, 1901.
1498*k*	Sec. 6, ch. 312, 1899.
1498*l*	Sec. 7, ch. 312, 1899.
1498*m*	Sec. 21, ch. 358, 1901.
1498*o*—6	Sec. 8, ch. 312, 1899.
1498*o*—10	Sec. 9, ch. 312, 1899.

STATUTES OF 1898, AMENDED BY LAWS OF 1899-1901.

Sections of Statutes.	Amending Laws.
1498*p*	Sec. 10, ch. 312, 1899; sec. 3, ch. 358, 1901.
1498*q*	Sec. 11, ch. 312, 1899.
1498*r*	Sec, 12, ch. 312, 1899.
1498*s*	Sec, 13, ch. 312, 1899.
1498*t*	Sec. 15, ch. 312, 1899.
1498*u*	Repealed sec. 16, ch. 312, 1899.
1517	Sec. 1, ch. 293, 1901.
1520	Sec. 1, ch. 56, 1901.
1529*a*	Sec. 1, ch. 304, 1899.
1529*c*	Sec. 1, ch. 231, 1899.
1529*f*	Sec. 1, ch. 135, 1899.
1529*g*	Sec. 1, ch. 240, 1901.
1543	Sec. 1, ch. 352, 1901.
1546	Sec. 1, ch. 91, 1899.
1547	Sec. 1, ch. 385, 1901.
1548	Sec. 1, ch. 116, 1899.
1551	Sec. 1, ch. 194, 1899; sec. 1, ch. 113, 1901.
1562	Sec. 23, ch. 351, 1899.
1570	Sec. 1, ch. 341, 1901.
1572	Sec. 2, ch. 341, 1901.
1574	Sec. 3, ch. 341, 1901.
1575	Sec. 4, ch. 341, 1901.
1576	Sec. 1, ch. 52, 1899; sec. 24, ch. 351, 1899; sec. 5, ch. 341, 1901.
1584*e*	Sec. 6, ch. 341, 1901.
1584*f*	Sec. 7, ch. 341, 1901.
1584*i*	Sec. 8, ch. 341, 1901.
1598	Sec. 1, ch. 413, 1901.
1626	Sec. 1, ch. 311, 1901.
1636*b*	Sec. 6, ch. 258, 1899; sec. 8, ch. 432, 1901.
1636*c*	Sec. 1, ch. 353, 1899.
1636*e*	Sec. 9, ch. 432, 1901.
1636*ee*	Created, sec. 25, ch. 351, 1899; repealed, sec. 6, ch. 349, 1901.
1636*f*	Repealed, sec. 6, ch. 349, 1901.
1636*g*	Sec. 26, ch. 351, 1899; repealed, sec. 6, ch. 349, 1901.
1636*h* 1636*i*	Repealed, sec. 6, ch. 349, 1901.
1665	Sec. 1, ch. 282, 1899; sec. 1, ch. 111, 1901.
1668	Sec. 1, ch. 324, 1899.
1675 1675—1 to 23 1675—50 to 55 1676 1676—1 to 29 1677 1677—1 to 9 1678 1678—1 to 48	Created, sec. 1, ch. 356, 1899. (Negotiable Instrument Law.)

STATUTES OF 1898, AMENDED BY LAWS OF 1899–1901.

Sections of Statutes.	Amending Laws.
1679 1676—1 to 6 1680 1680*a* to *p* 1681 1681—1 to 40 1682 1683 1684 1684—1 to 6	Created, sec. 1, ch. 356, 1899. (Negotiable Instrument Law.)
1675 1676 1677 1678 1679 1680 1681 1682 1683 1684	Repealed, sec. 2, ch. 356, 1899. (Negotiable Instrument Law.)
1693*c* 1693*d*	New sections, sec. 1, ch. 207, 1901.
1694	Sec. 1, ch. 98, 1899.
1729*a*	Sec. 1, ch. 47, 1901.
1737	Sec. 1, ch. 451, 1901.
1747*dd*	New section, sec. 1, ch. 140, 1901.
1753	Sec. 1, ch. 193, 1899.
1770*b*	Sec. 27, ch. 351, 1899; sec. 1, ch. 399, 1901; sec. 1, ch. 434, 1901.
1770*c*	New section, sec. 2, ch. 399, 1901.
1770*d*	New section, sec. 3, ch. 399, 1901.
1770*e*	New section, sec. 4, ch. 399, 1901.
1772—7	Sec. 1, ch. 238, 1901.
1774	Sec. 2, ch. 238, 1901.
1775*b*	Sec. 1, ch. 46, 1899.
1776*a*	New section, sec. 1, ch. 100, 1899.
1778	Ch. 319, 1901.
1785	Sec. 28, ch. 351, 1899.
1786	Sec. 29, ch. 351, 1899.
1788	Sec, 1, ch. 198, 1899.
1795	Sec. 3, ch. 308, 1899.
1797	Sec. 1, ch. 321, 1899.
1816*b*	Sec. 1, ch. 307, 1899.
1826	Sec. 2, ch. 461, 1901.
1833	Sec. 1, ch. 191, 1899.
1863	Sec. 1, ch. 425, 1901.
1863*a*	Sec. 1, ch. 306, 1899; sec. 1, ch. 465, 1901.
1924	Sec. 1, ch. 144, 1901.
1925	Sec. 2, ch. 144, 1901.
1926	Sec. 1, ch. 32, 1899.

STATUTES OF 1898, AMENDED BY LAWS OF 1899-1901.

Sections of Statutes.	Amending Laws.
1927	Sec. 1, ch. 202, 1901.
1928	Sec. 1, ch. 81, 1901.
1929	Sec. 1, ch. 168, 1899.
1937	Sec. 1, ch. 169, 1899.
1941—5	Sec. 1, ch. 69, 1901.
1941—7	Sec. 1, ch. 25, 1899.
1941—27	Sec. 1, ch. 27, 1899.
1941—46	Sec. 1, ch. 316, 1899.
1945*e*	Sec. 1, ch. 227, 1901.
1951	Sec. 1, ch. 22, 1901.
1955*a*	Sec. 1, ch. 442, 1901.
1955*c*	Sec. 1, ch. 101, 1899.
1956	Repealed, sec. 1, ch. 105, 1899. (Formation of hail insurance corporations.)
1957	
1958	
1959	
1960	
1961	
1962	
1963	
1964	
1965	
1966	
1966—36	Sec. 30, ch. 351, 1899.
1971	Sec. 1, ch. 192, 1899.
1972*b*—4	Sec. 1, ch. 233, 1901.
1987	Sec. 1, ch. 145, 1899.
2001—16	Sec. 1, ch. 42, 1901.
2012	Sec. 1, ch. 156, 1899.
2014—1	Sec. 2, ch. 156, 1899.
2014—10	Sec. 3, ch. 156, 1899.
2014—12	Sec. 4, ch. 156, 1899.
2023*k*	Sec. 1, ch. 69, 1899.
2023*q*	Sec. 1, ch. 317, 1901.
2216*c*	New section, sec. 1, ch. 28, 1901.
2236	Sec. 31, ch. 351, 1899.
2261	Sec. 1, ch. 102, 1901.
2317*b*	New section, sec. 1, ch. 463, 1901.
2330	Sec. 1, ch. 271, 1901.
2331*a*	New section, sec. 1, ch. 30, 1901.
2331*b*	
2421	Sec. 1, ch. 146, 1901.
2424—5th	Sec. 1, ch. 13, 1901.
2424—7th	Ch. 6, 1901.
2424—8th	Sec. 1, ch. 133, 1901; sec. 1, ch. 395, 1901.
2424—12th	Sec. 1, ch. 27, 1901.
2424—15th	Sec. 1, ch. 110, 1901; sec. 1, ch. 299, 1901.
2424—16th	Ch. 2, 1901.
2424—17th	Sec. 1 ch. 62, 1899; sec. 1, ch. 103. 1901.
2424	Sec. 32, ch. 351, 1899.

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Sections of Statutes.	Amending Laws.
2441	Sec. 2, ch. 7, 1899.
2449	Sec. 1, ch. 160, 1899.
2450	Sec. 1, ch. 49, 1899; sec. 1, ch. 134, 1901.
2464	Sec. 1, ch. 25, 1901; sec. 1, ch. 454, 1901.
2515-2523	Ch. 49, 1901.
2533*b*	Sec. 1, ch. 35, 1901.
2544*c*	Sec. 33, ch. 351, 1899.
2560	Sec. 1, ch. 93, 1901.
2623	Sec. 1, ch. 40, 1899.
2625	Sec. 1, ch. 101, 1901.
2640	Sec. 1, ch. 48, 1901.
2681	Sec. 2, ch. 217, 1899.
2877	Sec. 1, ch. 296, 1901.
2878	Sec. 1, ch. 100, 1901.
2906	Sec. 34, ch. 351, 1899.
2932	Sec. 35, ch. 351, 1899.
2968	Sec. 36, ch. 351, 1899.
2983	Sec. 1, ch. 269, 1901.
2984	Sec. 2, ch. 269, 1901.
2984*a*	New section, sec. 3, ch. 269, 1901.
3030	Sec. 37, ch. 351, 1899.
3047	Sec. 1, ch. 63, 1899.
3075	Sec. 1, ch. 152, 1901.
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3219	Sec. 1, ch. 175, 1901.
3223	Sec 1, ch. 129, 1901.
3314	Sec. 1, ch. 222, 1899.
3342*b*	Sec. 39, ch. 351, 1899.
3358—2	Sec. 1, ch. 26, 1901.
3508*a*	New section, sec. 1, ch. 193, 1901.
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3627	Sec. 41, ch. 351, 1899.
3723*b*	Sec. 1, ch. 280, 1901.
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3809	Sec. 1, ch. 24, 1901.
3825	Sec. 1, ch. 23, 1901.
3826	Sec. 2, ch. 23, 1901.
3844	Sec. 42, ch. 351, 1899.
3845	Sec. 1, ch. 5, 1899.
3874*a*	New section, sec. 1, ch. 112, 1901.
3881	New paragraph, sec. 2, ch. 112, 1901.
3881—3	Sec. 1, ch. 283, 1901.
3891	Sec. 1, ch. 175, 1899.
3913	Sec. 1, ch. 46, 1901.
3919*a*	New section, sec. 1, ch. 185, 1899.
3930	Sec. 43, ch. 351, 1899.
3935—1	Sec. 1, ch. 76, 1901.
3064	Sec. 1, ch. 328, 1901.

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4024*a*	New section, sec. 1, ch. 117, 1901.
4041*a*	New section, sec. 1, ch. 397, 1901.
4045	Sec. 1, ch. 175, 1899.
4053	Sec. 45, ch. 351, 1899.
4069	Sec. 1, ch. 181, 1901.
4078	Sec. 1, ch. 85, 1901.
4080	Sec. 1, ch. 145, 1901.
4096	Sec. 1, ch. 29, 1899; sec. 1, ch. 244, 1901.
4112	Sec. 46, ch. 351, 1899.
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4269	Sec. 1, ch. 170, 1901.
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4385*a*	New section, sec. 1, ch. 34, 1901.
4390	Sec. 1, ch. 380, 1901.
4403	Sec. 1, ch. 240, 1899.
4409	Sec. 1, ch. 86, 1901.
4432	Sec. 1, ch. 108, 1901.
4425	Sec. 1, ch. 146, 1899.
4463*a*	New section, sec. 1, ch. 201, 1901.
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4559	Sec. 1, ch. 284, 1901.
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4560*c*	Sec. 2, ch. 311, 1899.
4560*d*	Sec. 3, ch. 311, 1899; sec. 7, ch. 358, 1901.
4560*g*	Sec. 5, ch. 311, 1899; sec. 1, ch. 53, 1901.
4560*j*	Sec. 7, ch. 311, 1899; sec. 25, ch. 358, 1901.
4561*a*	Sec. 8, ch. 358, 1901.
4561*e*	Sec. 8, ch. 311, 1899.
4562*a*	Sec. 30*a*, ch. 312, 1899.
4562*d*	Sec. 9, ch. 311, 1899; sec. 9, ch. 358, 1901.
4563	Sec. 1, ch. 267, 1899.
4563*b*	Sec. 12, ch. 358, 1901.
4564	Sec. 10, ch. 358, 1901.
4565	Sec. 10, ch. 311, 1899.
4565*c*	Sec. 11, ch. 358, 1901.
4565*d*	Sec. 11, ch. 311, 1899; sec. 20, ch. 358, 1901.
4565*e*	Sec. 12, ch. 311, 1899.
4565*f*	New section, sec. 12, ch. 311, 1899.
4566	Sec. 13, ch. 311, 1899.
4567	Sec. 19, ch. 358, 1901.
4567*a*	Sec. 18, ch. 358, 1901.
4580	Sec. 1, ch. 99, 1899.

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4590	Sec. 1, ch. 128, 1899; sec. 1, ch. 256, 1901.
4601*d*	New section, sec. 1, ch. 335, 1901.
4607*c*	Sec. 1, ch. 151, 1901.
4608*a*	Sec. 1, ch. 401, 1901.
4733	Sec. 1, ch. 75, 1901.
4765	Sec. 1, ch. 67, 1899.
4816	Sec. 1, ch. 104, 1901.
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4890	Sec. 1, ch. 277, 1901.
4944*a*	Sec. 1, ch. 28, 1899.
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4944*c*	
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4944*e*	
4944*f*	
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4944*h*	
4944*i*	
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4944*k*	
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4969	Sec. 49, ch. 351, 1899.
4978 (1895)	Sec. 1, ch. 137, 1901.

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.....	1	1847	Ch. 116, 1901.
4	40	1855	Ch. 159, 1901.
1	129	1867	Sec. 1, ch. 196, 1899.
3	129	1867	Sec. 2, ch. 196, 1899.
6	129	1867	Sec. 3, ch. 196, 1899.
7	129	1867	Sec. 4, ch. 196, 1899.
8	129	1867	Sec. 5, ch. 196, 1899.
10	129	1867	Sec. 6, ch. 196, 1899.
15	207	1867	Sec. 1, ch. 178, 1901.
1	272	1870	Sec. 1, ch. 204, 1901.
20	374	1870	Sec. 1, ch. 315, 1901.
21	374	1870	Sec. 2, ch. 315, 1901.
.....	106	1876	Repealed, sec. 1, ch. 11, 1901.
.....	185	1876	Repealed, sec. 1, ch. 30, 1899.
.....	40	1883	Sec. 1, ch. 9, 1899.
.....	75	1885	Repealed, ch. 177, 1901.
1	122	1885	Sec. 1, ch. 204, 1901.
5	125	1887	Sec. 1, ch. 23, 1899.
6	125	1887	Sec. 1, ch. 109, 1899.
.....	154	1887	Repealed, ch. 177, 1901.
1	351	1887	Sec. 1, ch. 340, 1899.
2	61	1889	Sec. 1, ch. 219, 1889.
4	181	1889	Sec. 1, ch. 247, 1899.
1	99	1891	Sec. 1, ch. 1, 1899.
9	99	1891	Sec. 2, ch. 1, 1899.
.....	186	1891	Repealed, sec. 5, ch. 177, 1899.
2	33	1893	Sec. 1, ch. 88, 1901.
2a	33	1893	Created, sec. 1, ch. 188, 1893.
4	33	1893	Sec. 1, ch. 108, 1899.
7	33	1893	Sec. 1, ch. 188, 1899.
13	33	1893	Sec. 2, ch. 188, 1899.
8	241	1893	Sec. 1, ch. 64, 1899.
13	241	1893	Sec. 1, ch. 12, 1901.
1	134	1895	Ch. 294, 1901.
1	309	1895	Sec. 1, ch. 436, 1901.
.....	334	1895	Repealed, sec. 15, ch. 310, 1899.
2	368	1895	Sec. 1, ch. 266, 1901.
.....	375	1895	Sec. 1, ch. 71, 1899.
.....	38	1897	Re-enacted, ch. 136, 1901. (Repealed by statute of 1898.)
1	44	1897	Sec. 1, ch. 115, 1901.
3	72	1897	Sec. 1, ch. 117, 1899.
4	72	1897	Sec. 2, ch. 117, 1899.
5a	72	1897	Sec. 3, ch. 117, 1899.
7	72	1897	Sec. 4, ch. 117, 1899.
10	72	1897	Sec. 5, ch. 117, 1899.
13	72	1897	Sec. 6, ch. 117, 1899.
17	72	1897	Sec. 7, ch. 117, 1899.
18	72	1897	Repealed, sec. 8, ch. 117, 1899.
18a	72	1897	Created, sec. 9, ch. 117, 1899.
18b	72	1897	Created, sec. 10, ch. 117, 1899.
1	128	1897	Sec. 1, ch. 105, 1901.
2	129	1897	Sec. 1, ch. 8, 1899.

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4	129	1897	Sec. 1, ch. 13, 1899.
9	129	1897	Sec. 1, ch. 64, 1901.
.....	163	1897	Repealed, sec. 1, ch. 255, 1899.
9	186	1897	Sec. 1, ch. 357, 1901.
10	186	1897	Sec. 2, ch. 357, 1901.
16	186	1897	Sec. 1, ch. 58, 1899; sec. 1, ch. 130, 1901.
17	186	1897	Sec. 2, ch. 58, 1899; sec. 3, ch. 357, 1901.
3	211	1897	Sec. 1, ch. 122, 1901.
.....	264	1897	Sec. 1, ch. 87, 1899.
1	322	1897	Sec. 1, ch. 172, 1901.
2	322	1897	Sec. 2, ch. 172, 1901.
3	322	1897	Created, sec. 3, ch. 172, 1901.
.....	352	1897	Repealed, ch. 59. 1901.
2	367	1897	Sec. 1, ch. 345, 1899.
6	367	1897	Sec. 2, ch. 345, 1899; sec. 1, ch. 458, 1901.
5	377	1897	Repealed, sec. 4, ch. 2, 1899.
1	29	1899	Sec. 1, ch. 244, 1901.
3	34	1899	Sec. 1, ch. 106, 1901.
4	34	1899	New sections, sec. 1, ch. 106, 1901.
5	34		
6	34		
7	34		
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1	45	1899	Sec. 1, ch. 311, 1901.
1	49	1899	Sec. 1, ch. 134, 1901.
1	58	1899	Sec. 1, ch. 130, 1901.
2	58	1899	Sec. 3, ch. 357, 1901.
1	62	1899	Sec. 1, ch. 103, 1901.
1	72	1899	Sec. 1, ch. 404, 1901.
.....	74	1899	Sec. 1, ch. 260, 1899.
1	81	1899	Sec. 1, ch. 387, 1901.
1	90	1899	Sec. 1, ch. 62, 1901.
4	113	1899	Sec. 1, ch. 149, 1899.
1	114	1899	Sec. 1, ch. 277, 1899.
1	128	1899	Sec. 1, ch. 256, 1901.
2	129	1899	Sec. 1, ch. 123, 1901.
1	139	1899	Sec. 1, ch. 265, 1901.
.....	151	1899	Repealed, sec. 2, ch. 217, 1901.
1	155	1899	Sec. 1, ch. 57, 1901.
.....	161	1899	Sec. 1, ch. 238, 1899.
2	170	1899	Sec. 1, ch. 370, 1901.
1	179	1899	Sec. 1, ch. 371, 1901.
1	194	1899	Sec. 1, ch. 113, 1901.
.....	200	1899	Repealed, sec. 74, ch. 228, 1901.
3a	206	1899	New section, sec. 1, ch. 220, 1901.
7	206	1899	Sec. 1, ch. 322, 1899.
9	206	1899	Sec. 2, ch. 220, 1901.
5	218	1899	Sec. 1, ch. 70, 1901; sec. 1, ch. 124, 1901.
7	218	1899	Sec. 2, ch. 70, 1901.
13	218	1899	Sec. 1, ch. 363, 1901.
.....	232	1899	Repealed, sec. 8, ch. 239, 1901.
1	251	1899	Sec. 1, ch. 107, 1901.

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.....	258	1899	Repealed, sec. 1, ch. 432, 1901.
1	260	1899	Ch. 166, 1901.
1	264	1899	Sec. 1, ch. 167, 1901.
4	264	1899	Sec. 2, ch. 167, 1901.
9	264	1899	Sec. 3, ch. 167, 1901.
10	264	1899	Sec. 4, ch. 167, 1901.
1	265	1899	Sec. 1, ch. 176, 1901.
4	265	1899	Sec. 2, ch. 176, 1901.
10	265	1899	Sec. 3, ch. 176, 1901.
5	268	1899	Sec. 1, ch. 373, 1901.
1	270	1899	Sec. 1, ch. 448, 1901.
7a	270	1899	New section, sec. 1, ch. 221, 1901.
1	274	1899	Sec. 1, ch. 182, 1901.
2	274	1899	Sec. 2, ch. 182, 1901.
6	274	1899	Sec. 3, ch. 182, 1901.
1	283	1899	Sec. 1, ch. 263, 1901.
1	290	1899	Sec. 5, ch. 418, 1901; sec. 1, ch. 419, 1901.
2	300	1899	Sec. 1, ch. 342, 1899.
1	306	1899	Sec. 1, ch. 465, 1901.
2	308	1899	Repealed, sec. 2, ch. 417, 1901.
3	311	1899	Sec. 7, ch. 358, 1901.
5	311	1899	Sec. 1, ch 53, 1901.
6	311	1899	Sec. 1, ch. 307, 1901.
7	311	1899	Sec. 25, ch 358, 1901.
9	311	1899	Sec. 9, ch. 358, 1901.
14	311	1899	Sec. 14. ch. 358, 1901.
15	311	1899	Repealed, sec. 1, ch. 407, 1901.
1	312	1899	Sec. 1, ch. 358, 1901.
3	312	1899	Sec. 3, ch. 408, 1901.
4	312	1899	Sec. 2, ch. 358, 1901.
10	312	1899	Sec. 3, ch. 358, 1901.
14	312	1899	Sec. 5, ch. 358, 1901.
14a	312	1899	Sec. 4, ch. 358, 1901.
18	312	1899	Sec. 13, ch. 358, 1901.
19	312	1899	Sec. 16, ch. 358, 1901.
20	312	1899	Sec. 17, ch. 358, 1901.
1	317	1899	Sec. 1, ch. 205, 1901.
1	323	1899	Sec. 1, ch. 389, 1901.
1	327	1899	Sec. 1, ch. 77, 1901.
2	335	1899	Sec. 1, ch. 374, 1901.
2	345	1899	Sec. 1, ch. 458, 1901.
1	348	1899	Sec. 1, ch. 143, 1901.
2	348	1899	Sec. 2, ch. 143, 1901.
3	348	1899	Sec. 3, ch. 143, 1901.
4	348	1899	Sec. 4, ch. 143, 1901.
1	349	1899	Sec. 2, ch. 457, 1901.
2	349	1899	Sec. 3, ch. 457, 1901.
3	349	1899	Sec. 4, ch. 457, 1901.
1	355	1899	Sec. 1, ch. 245, 1901.
2	355	1899	Sec. 2, ch. 245, 1901.
4	355	1899	Sec. 3, ch. 245, 1901.
5	355	1899	Sec. 4, ch. 245, 1901.
6	355	1899	Sec. 5, ch. 245, 1901.

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11	355	1899	Sec. 6, ch. 245, 1901.
13	355	1899	Sec. 7, ch. 245, 1901.
19	355	1899	Sec. 8, ch. 245, 1901.
1681-9	356	1899	Sec. 1, ch. 41, 1901.
2	356	1899	Sec. 1, ch. 361, 1901.
1	25	1901	Sec. 1, ch. 451, 1901.
.....	87	1901	Repealed, sec. 1, ch. 324, 1901.
1	110	1901	Sec. 1, ch. 299, 1901.
2	112	1901	Sec. 1, ch. 283, 1901.
2	133	1901	Sec. 1, ch. 414, 1901.
1	197	1901	Sec. 1, ch. 447, 1901.
1	229	1901	Sec. 1, ch. 453, 1901.
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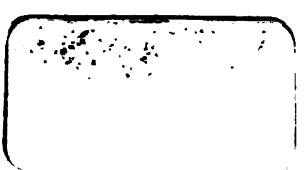
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